

## POSTMASTERS.

## ALABAMA.

Lemuel A. Carroll, at Slocomb, Ala.  
Edgar A. McFerrin, at Opp, Ala.  
Henry C. Willis, at Alexander City, Ala.

## CALIFORNIA.

Robert R. Allen, at King City, Cal.  
George B. Hannahs, at San Jacinto, Cal.  
Otto C. Heck, at Oilcenter, Cal.  
John J. West, at Willow, Cal.

## GEORGIA.

Isaac T. Sellers, at Cornelia, Ga.

## ILLINOIS.

Frederick H. Ballinger, at Chenoa, Ill.  
Charles J. Ferguson, at East Alton, Ill.  
H. F. Mette, at Flanagan, Ill.  
William W. Waters, at Clyde, Ill.  
John W. White, at Cullom, Ill.

## IOWA.

Harry C. Chapple, at Independence, Iowa.  
John C. Felts, at Jesup, Iowa.  
John C. Roberts, at Hiteman, Iowa.  
Thomas R. Shaw, at Coin, Iowa.  
W. A. Simpkins, at Britt, Iowa.  
Herman Ternes, at Dubuque, Iowa.

## KANSAS.

Gertrude Stevens, at Goodland, Kans.

## KENTUCKY.

Isaac N. Bryant, at Corbin, Ky.  
Lee B. McHargue, at London, Ky.

## MISSOURI.

John H. Fisher, at Sullivan, Mo.  
Philip A. Thompson, at Craig, Mo.

## MONTANA.

Walter E. Williamson, at Wibaux, Mont.

## NEW JERSEY.

William H. Bannard, at Asbury Park, N. J.

## NEW YORK.

Melvin D. Herriman, at Sandy Creek, N. Y.

## NORTH DAKOTA.

H. B. Allen, at Steele, N. Dak.  
Anna Callahan, at Casselton, N. Dak.  
William T. Cameron, at Aneta, N. Dak.  
Ole I. Ronning, at Columbus, N. Dak.

## OKLAHOMA.

William O. Allison, at Hollis, Okla.  
Benjamin G. Baker, at Chattanooga, Okla.  
Dou A. Fraser, at Wewoka, Okla.

## PENNSYLVANIA.

Walter M. Bray, at Palmerton, Pa.  
Jennings U. Kurtz, at Berwick, Pa.  
Thomas Pickrell, at Old Forge, Pa.

## SOUTH DAKOTA.

James Erickson, at Bryant, S. Dak.

## VIRGINIA.

John W. Field, at Chincoteague Island, Va.  
E. T. Kiser, at Wise, Va.

## WASHINGTON.

Alonzo W. Carner, at Castle Rock, Wash.  
Charles McKinnon, at Black Diamond, Wash.  
George B. Stocking, at Republic, Wash.

## INJUNCTION OF SECRECY REMOVED.

On February 18, 1909, the Senate removed the injunction of secrecy from a special agreement between the United States and Great Britain for the submission to the Permanent Court of Arbitration at The Hague of questions relating to fisheries on the North Atlantic coast. (Ex. U, 60th, 2d.)

## HOUSE OF REPRESENTATIVES.

SATURDAY, February 20, 1909.

[Continuation of legislative day of Monday, February 15, 1909.]

The recess having expired at 11 o'clock a. m., the House was called to order by the Speaker.

## PUBLIC BUILDINGS.

Mr. BARTHOLDT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 28167.

The SPEAKER. The gentleman from Missouri asks unanimous consent to discharge the Committee of the Whole House from the further consideration of the following bill and to consider the same in the House. The Clerk will report the title. The Clerk read as follows:

A bill (H. R. 28167) to grant additional authority to the Secretary of the Treasury to carry out certain provisions of public buildings acts, and for other purposes.

Mr. FITZGERALD. Let us have the bill read.

Mr. PAYNE. The bill ought to be read.

The SPEAKER. The Chair will say to the gentleman from Missouri that he is notified by the gentleman from Iowa that he desires to call up the diplomatic and consular appropriation bill. This bill is three or four pages long, and the Chair will furnish an opportunity—

Mr. BARTHOLDT. Mr. Speaker, I suggest this bill will take only a few minutes. It carries no new appropriation, it merely makes certain changes made necessary by changed conditions in respect to public buildings acts passed in the last two Congresses, and I hope the gentleman will yield.

Mr. COUSINS. I think the gentleman should come in after this. This bill is desired at the other side, and it must go over there or we will be running amuck with the appropriations. There are four appropriation bills—

Mr. BARTHOLDT. I appeal to the gentleman to give way for a few minutes for this purpose. This bill must go over to the Senate in order to pass this session.

Mr. COUSINS. How long?

Mr. BARTHOLDT. For a few minutes.

Mr. COUSINS. Mr. Speaker, if I am recognized I will yield the gentleman five minutes.

The SPEAKER. It will take five minutes to read the bill, but the Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That in every instance in which the act of May 30, 1908, included the cost of the site in the extension of the limit of cost fixed for a public building previously authorized to be constructed upon land owned by the United States, such limit of cost be, and the same is hereby, amended and fixed at the amount named in said act for each of such buildings, but exclusive of the cost of the sites thereof, respectively.

SEC. 2. That so much of the amount heretofore authorized for the construction of a suitable building for the accommodation of the United States post-office, United States courts, and other governmental offices at Muskogee, Okla., as may be necessary shall be available for the acquisition of a suitable site, and the Secretary of the Treasury is hereby authorized and directed to acquire such site by purchase, condemnation, or otherwise; *Provided*, That the limit of cost heretofore fixed shall not be exceeded in the acquisition of such site and the erection of a suitable building thereon.

SEC. 3. That of the amount heretofore authorized for the enlargement of the post-office building at Rock Island, Ill., the sum of \$5,000, or so much thereof as may be necessary, shall be available for the acquisition of additional land.

SEC. 4. That the amount heretofore authorized for the enlargement, extension, and repair of the United States post-office at Portland, Me., shall be available for the United States court-house at Portland, Me.

SEC. 5. That the Secretary of the Treasury be, and he is hereby, authorized and directed, in his discretion, to reduce the open space for fire protection at Du Quoin, Ill., to 15 feet, to insure the acquisition of a suitable site within the limit of cost heretofore fixed.

SEC. 6. That the Secretary of the Treasury may, in his discretion, disregard the provision requiring sites to be bounded upon at least two sides by streets in so far as same shall apply to the town of Plymouth, Mass.

SEC. 7. That the Secretary of the Treasury be, and he is hereby, authorized and directed, in his discretion, to apply not to exceed \$7,000, or so much thereof as may be necessary, of the amount heretofore authorized for the erection of a suitable building for the accommodation of the United States post-office at West Point, Miss., for the acquisition of a suitable site, in addition to the \$5,000 heretofore authorized for the acquisition of a site.

SEC. 8. That the Secretary of the Treasury may, in his discretion, disregard the provision requiring sites to be bounded upon at least two sides by streets in so far as same shall apply to the city of Westerly, R. I.

SEC. 9. That the Secretary of the Treasury be, and he is hereby, authorized and directed, in his discretion, to reduce the open space for fire protection at Beatrice, Nebr., to 10 feet, to insure the completion of the proposed addition to the present federal building within the limit of cost heretofore authorized.

SEC. 10. That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be constructed a temporary addition to the United States post-office and court-house at Detroit, Mich., at a limit of cost not to exceed \$7,500, to be paid from the appropriation heretofore authorized for the extension and remodeling of the United States court-house and post-office at Detroit, Mich.

SEC. 11. That so much of section 5 of the act of Congress entitled "An act to increase the limit of cost of certain public buildings, to

authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes," approved May 30, 1908, as authorized the Secretary of the Treasury to acquire a suitable site for a new custom-house in the city of Boston, Mass., at a limit of cost of \$500,000, be, and the same is hereby, amended so as to authorize the Secretary of the Treasury to acquire by purchase, condemnation, or otherwise, a site for a new custom-house building at Boston, Mass., at not to exceed \$500,000, or in his discretion to cause plans to be prepared for the enlargement, remodeling, or extension of the present custom-house building in said city; and for this purpose he is hereby authorized and empowered to select and employ a special architect for the purpose and to compensate him for his services on the basis of the schedule of the American Institute of Architects, and so much of the appropriation heretofore made for the acquisition of a new site as may be necessary is hereby made available for that purpose.

SEC. 12. That in the acquisition of a new site heretofore authorized for the subtreasury at San Francisco, Cal., and for the purpose of securing better facilities for light and air and a larger open space than is now required by law to be provided as a protection against the danger of fire in adjacent buildings and in consideration of the granting to the United States of a perpetual right of way over a strip of land 25 feet in width next adjacent to such site, or the dedication of said strip of land to the city of San Francisco for a public alley, the Secretary of the Treasury be, and he is hereby, authorized to cause said strip of land to be graded, paved, and improved to such extent as may be necessary to put the same in condition for use or as may be required to make it conform to the ordinances and regulations of the city of San Francisco governing the acceptance and regulations of the city for the purposes of a public alley; and for this purpose the Secretary of the Treasury is authorized to expend such sum as may be necessary, not to exceed \$10,000, from the appropriation for "Repairs and preservation of public buildings." *Provided*, That said alley shall not be graded, paved, or improved as aforesaid at the cost and expense of the United States for a greater distance than said subtreasury site may abut thereon, nor until the title to such subtreasury site shall have become vested in the United States.

SEC. 13. That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire additional land for the further enlargement of the federal building site at Beaumont, Tex., by purchase, condemnation, or otherwise, at a limit of cost not to exceed \$800, and to make payment therefor from the unexpended balance of the appropriations made for carrying into effect the provisions of section 1 of the act of June 6, 1902, so far as the same may relate to the federal building at Beaumont, Tex.

The SPEAKER. Is there objection?

Mr. BARTHOLDT. Mr. Speaker, I offer the following amendment.

The SPEAKER. The Clerk will report the amendment.  
The Clerk read as follows:

On page 6 of the bill, after line 12, insert the following:

"SEC. 14. That the Secretary of the Treasury may, in his discretion, disregard the provisions requiring sites to be bounded upon at least two sides by streets in so far as same shall apply to Bedford City, Va."

Mr. FITZGERALD. Will the gentleman yield for a question?

Mr. BARTHOLDT. Certainly.

Mr. FITZGERALD. Is there any item in this bill which relates the title of the United States to any land at any place?

Mr. BARTHOLDT. No.

Mr. MANN. Mr. Speaker, I offer the following amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Insert as a new section the following:

"SEC. 15. That the Secretary of the Treasury be, and he is hereby, authorized and directed, in his discretion, to reduce the open space for fire protection at South Chicago, Ill., to 15 feet."

Mr. BARTHOLDT. I accept that amendment, Mr. Speaker.  
Mr. Speaker, I offer another amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Insert as a new section:

"SEC. 16. That the item contained in section 5 of the act of Congress entitled 'An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes,' approved May 30, 1908, for 'United States post-office at Washington, D. C., \$500,000,' be, and the same is hereby, amended so as to add to the same the following provision: That if any balance remains within said limit after acquiring the site herein authorized, the Secretary of the Treasury be, and he is hereby, authorized to expend the same in preparation of the necessary plans, and toward the commencement of the construction of said building."

Mr. WEEKS. Mr. Speaker, I would like an explanation of that amendment.

Mr. BARTHOLDT. Mr. Speaker, in the last bill \$500,000 was appropriated for the acquisition of a site for a new post-office in the city of Washington. It seems that they have succeeded in procuring a site for \$450,000, so that \$50,000 is left as an unexpended balance of that appropriation. This \$50,000 shall be used for the purpose of preparing plans for the new building, appropriation for which, however, is not made in this bill.

Mr. WEEKS. That is the appraiser's storehouse?

Mr. BARTHOLDT. No; it is the post-office at Washington.

Mr. MANN. Would not this permit plans for the building without any limit of cost and authorize the commencement of work?

Mr. BARTHOLDT. No, sir.

Mr. MANN. That is just what it would do.

Mr. BARTHOLDT. No appropriation is made; hence there can not be a limit of cost fixed.

Mr. MANN. But, then, there is a commencement of work; hence it becomes a work in progress. I suppose the gentleman's committee will take care of that.

Mr. FITZGERALD. What is it expected this building will cost?

Mr. BARTHOLDT. The Committee on Public Buildings and Grounds has no idea as to what the size and character of that building is to be.

Mr. FITZGERALD. I suggest to the gentleman that until the committee decides the size and character and limit that is to be put on the cost, it would seem ill advised to authorize the preparation of the plans.

Mr. MANN. And there is a commencement of construction.  
Mr. BARTHOLDT. It has been found that time will be saved by such a course.

Mr. FITZGERALD. It is better to lose time and save money, I suggest to the gentleman.

Mr. BARTHOLDT. If we fix a limit of cost in this bill, it will be considered as an appropriation.

Mr. FITZGERALD. Oh, no.

Mr. BARTHOLDT. It has been so considered as to similar public buildings.

Mr. FITZGERALD. But since that time Congress has passed an act that nothing shall be considered as an appropriation unless the specific amount is appropriated, and the Comptroller of the Treasury follows that statute.

Mr. BARTHOLDT. If there is to be any objection to it, Mr. Speaker, I withdraw the amendment.

Mr. MANN. The gentleman withdraws the amendment?

Mr. BARTHOLDT. I withdraw the amendment, Mr. Speaker.

The SPEAKER. The amendment is withdrawn.

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 27894. An act amending an act to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission, approved June 29, 1906;

H. R. 25396. An act for relief of applicants for mineral surveys;  
H. R. 21167. An act to reimburse J. N. Newkirk, postmaster of San Diego, Cal.;

H. R. 7029. An act for the relief of C. L. Huey;  
H. R. 19606. An act to provide for the granting and patenting to the State of Colorado desert lands within the former Ute Indian Reservation in said State;

H. R. 26734. An act to permit change of entry in case of mistake of the description of tracts intended to be entered;

H. R. 25139. An act to amend an act entitled "An act to ratify, approve, and confirm an act duly enacted by the legislature of the Territory of Hawaii, to authorize and provide for the construction, maintenance, and operation of a telephone system on the island of Oahu, Territory of Hawaii," approved June 20, 1906;

H. R. 13712. An act for the relief of the legal representatives of Sarah J. Montgomery, deceased;

H. R. 26516. An act authorizing Daniel W. Abbott to make homestead entry;

H. R. 3844. An act for the relief of E. L. Simpson;  
H. R. 21019. An act to reimburse Agnes M. Harrison, postmaster at Wheeler, Miss., for loss of money-order remittance;

H. R. 26838. An act to authorize Behn Brothers, of San Juan, P. R., to construct a bridge across a portion of the Condado Bay, at the eastern extremity of San Juan Island, Porto Rico;  
H. R. 26472. An act to provide for the extension of Rittenhouse street, in the District of Columbia, and for other purposes;

H. R. 16747. An act to amend an act approved March 2, 1907, entitled "An act for the opening of Mills avenue NE. from Rhode Island avenue to Twenty-fourth street;"

H. R. 24152. An act for the widening and extension of Massachusetts avenue SE. from its present terminus near Fortieth street SE. to Bowen road;

H. R. 23864. An act authorizing the widening and extension of Minnesota avenue SE. from its present terminus near Pennsylvania avenue SE. to the Sheriff road;



H. R. 16269. An act authorizing the extension of Ninth street NW.;

H. R. 17303. An act authorizing the extension of Girard street NW. from its western terminus to Fifteenth street NW.;

H. R. 12678. An act for the widening of Twentieth street NW., District of Columbia;

H. R. 25149. An act to authorize certain changes in the permanent system of highways, District of Columbia;

H. R. 27425. An act to provide for the parole of juvenile offenders committed to the National Training School for Boys, Washington, D. C., and for other purposes;

H. R. 23699. An act to grant to John T. Rivett privilege to make commutation of his homestead entry;

H. R. 19762. An act to reimburse the postmaster at Sandborn, Ind.;

H. R. 17171. An act for the relief of Benjamin F. Curry; and H. R. 4307. An act for the relief of E. J. Reed.

The message also announced that the Senate had passed, with amendments, bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 18694. An act relating to the use, control, and ownership of lands in the Canal Zone, Isthmus of Panama;

H. R. 24835. An act authorizing the resurvey of public lands;

H. R. 24149. An act granting to the Montana, Wyoming and Southern Railway Company a right of way across the Fort Keogh Military Reservation, Mont.;

H. R. 21896. An act to amend section 86 of an act to provide a government for the Territory of Hawaii, to provide for additional judges, and for other judicial purposes;

H. R. 4286. An act for the relief of John Shull;

H. R. 20837. An act entitled "An act to authorize certain extensions of the City and Suburban Railway of Washington, and for other purposes;" and

H. R. 20111. An act entitled "An act to amend an act entitled 'An act to establish a Code of Law for the District of Columbia' relative to gambling, bucket shops, and bucketing."

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 9402. An act for the relief of John M. Layne;

S. 8905. An act for the establishment of a probation system for the District of Columbia;

S. 5092. An act to remove the charge of desertion against the military record of James A. Windsor;

S. 8424. An act for the relief of the owners of lighter No. 128;

S. 8654. An act for the relief of certain occupants of unsurveyed public lands in Craighead County, Ark.; and

S. 9348. An act to reimburse Frank Wyman, postmaster at St. Louis, Mo., for embezzlement of money-order funds by clerk at said post-office.

The message also announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 26915. An act making appropriation for the support of the army for the fiscal year ending June 30, 1910.

The message also announced that the Senate had passed the following resolution:

*Resolved*, That the Senate recedes from its amendments to the bill of the House of Representatives (H. R. 24140) entitled "An act extending the provisions of the act of June 10, 1880, concerning transportation of dutiable merchandise without appraisement," disagreed to by the House of Representatives.

#### DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. COUSINS. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the diplomatic and consular appropriation bill (H. R. 27523); and, pending that motion, I would like to inquire of the gentleman from Georgia [Mr. Howard] if he can inform me what time is desired on that side?

Mr. HOWARD. We shall not ask for time.

Mr. COUSINS. In that event, I should say we would not require more than twenty minutes.

The SPEAKER. The gentleman from Iowa asks unanimous consent to close debate on this bill in forty minutes—one-half of the time to be controlled by himself and one-half by the gentleman from Georgia [Mr. Howard]. Is there objection? [After a pause.] The Chair hears none.

The motion to go into Committee of the Whole House on the state of the Union was then agreed to.

The SPEAKER. The gentleman from Michigan [Mr. Diekema] will take the chair.

Mr. CARLIN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. CARLIN. If a motion to adjourn were made at this hour, and assuming it would be carried, to what time would the House stand adjourned?

The SPEAKER. We are in Committee of the Whole, and we can not adjourn; but we could when the committee rises. The Chair is under the impression, however, that there are special orders for to-morrow.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. DIEKEMA in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 27523, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 27523) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1910.

Mr. COUSINS. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. COUSINS. Mr. Chairman, there is so little of new matter in the bill which the Committee on Foreign Affairs offers to the Committee of the Whole House that very little time is necessary to be used in its explanation. The bill carries \$3,592,738, an increase of only about \$18,000 over the appropriations of last session, and \$350,000 less than the estimates of the State Department. There are very few new items. There is a proposition to amend the law with reference to chargé d'affaires acting in the place of ambassadors or ministers who may be absent on leave, which will save the necessity of deficiency appropriations, which have been carried constantly from year to year by the Appropriations Committee, but it makes no difference whatever in the amount appropriated or expended. The other new items are for very limited amounts—one for the entertainment of the Prison Congress in Washington, one for the entertainment of the International Congress of Hygiene and Demography, and the department is asking for 10 student interpreters in Turkey to correspond with the provision now made for student interpreters in China and Japan. Under the new Government of Turkey very wide fields are being opened to the United States and other countries in the way of trade.

The very best investment that has ever been made, in my judgment, has been the appropriations for student interpreters in China and Japan. They have enlisted in the service a class of very able and bright young men, who are willing to enter the service for a thousand dollars a year, and to-day many of them are occupying positions such as deputy consuls and vice-consuls in the Orient, rendering the very best service to this Government. We want a corps of student interpreters in Turkey, as I said, to correspond with those in the Orient, in China and Japan. There is also a new provision in the bill providing for ten additional consular assistants. We recommend this proposition instead of another proposition calling for \$125,000 for the vice-consuls who might take the place of consuls.

The idea of the committee in adopting this provision for ten new consular assistants is that they will be a permanent corps of American citizens especially trained to assist or act in place of consuls. Their salary starts at a thousand dollars, and after seven years they may reach \$1,800.

Mr. Chairman, we are carrying on this foreign service with only about \$3,500,000. I doubt very much if any department of this Government is accomplishing so much with that amount of money. We are supporting and paying for ambassadors, ministers, consuls-general, consuls, and other officials and employees, as follows:

Ambassadors, at \$17,500 each.....	10
Ministers, at \$12,000 each.....	8
Ministers, at \$10,000 each.....	24
Diplomatic agents, at \$10,000 each.....	3
Minister resident and consul-general, at \$10,000.....	1
Minister resident and consul-general, at \$5,000.....	1
Secretaries of embassies and legations (ranging from \$2,000 to \$3,000 each).....	41
Second secretaries (\$1,800 to \$2,000 each).....	12
Third secretaries, at \$1,200 each.....	7
Consul-general inspectors.....	5
Consuls-general.....	63
Vice-consuls-general.....	65
Deputy consuls-general.....	26
Consuls.....	241
Vice-consuls.....	241
Deputy consuls.....	23
Consular assistants.....	20
Consular agents.....	286
Interpreters.....	21
Clerks in consulates.....	314
Student interpreters.....	16
Marshals.....	8
Total.....	1,329

Consuls-general	63
Consul, class 1	1
Consul, class 2	1
Consuls, class 3	10
Consuls, class 4	14
Consuls, class 5	22
Consuls, class 6	34
Consuls, class 7	55
Consuls, class 8	61
Consuls, class 9	45
Consular agents	286
Total	592
Fees turned into Treasury last fiscal year	\$1,512,304
Consuls' salaries	1,037,000
Balance	475,304

Since the adoption of the consular reorganization act two or three years ago, by which all the fees are turned directly into the Treasury instead of being paid in part to consuls, our consular system has become almost self-supporting.

Mr. COX of Indiana. How are these student interpreters to be appointed, or by whom?

Mr. COUSINS. They are appointed by the President, after being examined by a board of examiners, one of whom is from the Civil Service Commission and two others named from the State Department.

Mr. COX of Indiana. Are their appointments confirmed by the Senate, or will they be?

Mr. COUSINS. I think not, in that case.

Mr. COX of Indiana. Then, they are not directly under the jurisdiction of the Civil Service Commission, are they?

Mr. COUSINS. Practically; yes.

Mr. COX of Indiana. Would you say, then, that they are under the Civil Service Commission?

Mr. COUSINS. I should say practically; yes.

Mr. COX of Indiana. How are these various clerks appointed whom I see named in the bill? Are they appointed by the President?

Mr. COUSINS. Clerks are not, but the consuls are. Under the Constitution the President shall appoint ambassadors, ministers, consuls, and other diplomatic agents, by and with the advice and consent of the Senate.

Mr. COX of Indiana. Do the consuls appoint their own clerks, or are the clerks under the civil service?

Mr. COUSINS. No; they are not. When the clerks receive less than \$1,000 per annum they may be foreigners; but during the last three years we have Americanized the system to such an extent that more than 50 per cent now employed are Americans.

Mr. COX of Indiana. I think that is absolutely commendable; but how are the clerks who draw salaries exceeding \$1,000 appointed?

Mr. COUSINS. By the State Department.

Mr. COX of Indiana. They are appointed by the Secretary of State?

Mr. COUSINS. Yes.

Mr. COX of Indiana. And their appointments are not confirmed by the Senate?

Mr. COUSINS. No. They do not represent the Government, except in a clerical capacity.

Mr. COX of Indiana. I see the time in which these student interpreters are to serve is limited to five years. Is that correct?

Mr. COUSINS. They enter into an engagement with the Government to serve five years, if their services are desired.

Mr. COX of Indiana. It is presumed, I suppose, that at the end of that time their service will automatically cease?

Mr. COUSINS. In very few instances have their services to the Government ceased. From student interpreters some have been advanced to more important positions, such as vice-consuls and deputy consuls, or secretaries, and have proven most useful officers in the foreign service.

Mr. COX of Indiana. Then the idea is to give them an opportunity gradually to work themselves from the bottom to the top.

Mr. COUSINS. Yes.

Mr. COX of Indiana. I think that is a good idea.

Mr. COUSINS. I was saying that since the adoption of the consular reorganization bill the consular service has been practically self-supporting. It costs this Government only about \$400 to maintain a consulate at the present time. During the last fiscal year the fees of the consulates amounted to \$1,512,304. The salaries of the consuls were only \$1,037,000, making a net gain of \$475,304.

Of course the consular establishment is not wholly self-supporting, for the reason that there is charged to that service all the inspectors' expenses, all of the vast contingent expenses that we appropriate, amounting to half a million dollars.

Only a few years ago these consuls paid out of their own pockets probably half of the postage that was required to answer the communications from American business men. Today we are appropriating for these contingent expenses \$525,000, which cover postage and other miscellaneous items, and which relieves these representatives of the Government of the great expense of answering correspondents from our country.

There has been a very great improvement in the last three or four years, under the administration of Mr. Root, than whom, in my judgment, no greater Secretary ever served the United States. [Applause.] With the very intelligent and consistent support of the gentlemen of the minority on the Committee on Foreign Affairs, and particularly that of the gentleman from Georgia [Mr. HOWARD], looking to the improvement of the foreign service, we have had the greatest progress that has been witnessed, in my judgment, in any department of the Government. [Applause.] I shall now yield to the gentleman from Georgia [Mr. HOWARD].

Mr. HOWARD. Mr. Chairman, I yield back such time as was allotted to me, as it seems not to be the desire of anyone to occupy time now.

Mr. COUSINS. Mr. Chairman, I ask for the reading of the bill.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

Chargés d'affaires ad interim, \$40,000.

Total, \$550,500.

Mr. HAMLIN. Mr. Chairman, I desire to ask the gentleman in charge of the bill a question. Is the amount carried for this item the amount carried in the bill of last year?

Mr. COUSINS. There is no change either in the salaries or classification of ambassadors and ministers.

Mr. HAMLIN. Can the gentleman inform me if it is the same amount carried in the bill for 1908?

Mr. COUSINS. Yes.

Mr. HAMLIN. Any unexpended balance at the close of the fiscal year is available for expenditure in the next fiscal year without any further appropriation?

Mr. COUSINS. The balance of the salary, if unexpended, would revert to the Treasury.

Mr. HAMLIN. What becomes of the balance of the fund?

Mr. COUSINS. It reverts to the Treasury.

Mr. HAMLIN. And must be reappropriated?

Mr. COUSINS. Yes.

Mr. HAMLIN. Are the expenditures for this last fiscal year for this purpose any greater than the expenditures for the fiscal year 1908?

Mr. COUSINS. This is for 1910.

Mr. HAMLIN. I understand; but the gentleman said that the same amount was carried in the fiscal year of 1909.

Mr. COUSINS. For the present fiscal year.

Mr. HAMLIN. Are the expenditures any greater for this year than for the year 1908?

Mr. COUSINS. I stated that there was no change either in the salaries or classification of ambassadors or ministers.

Mr. HAMLIN. Now, I notice from the report of the Secretary of State that the expenditure for these items of 1908 was only \$467,749.42.

Mr. MANN. The gentleman from Missouri said the expenditure for 1908. That is not this year. We passed a bill which did make a change—

Mr. COUSINS. We passed a bill in 1907 which increased the salaries very much; we increased the salaries of certain ministers.

Mr. HAMLIN. Then the gentleman from Iowa misunderstood my question. I asked if there had been any increase since 1908.

Mr. COUSINS. There was in 1907, which provided for 1908.

Mr. HAMLIN. Then the necessary expenditures for 1909 would be greater than 1908?

Mr. COUSINS. Yes. I have not distinctly heard the gentleman's questions. There were many increases in salaries for 1909 over 1908, but none in this bill for 1910 over those for 1909.

The Clerk read as follows:

Section 1685 of the Revised Statutes is hereby amended to read as follows: "For such time as any secretary of embassy or legation shall be lawfully authorized to act as chargé d'affaires ad interim at the post to which he shall have been appointed he shall be entitled to receive, in addition to his salary as secretary of embassy or legation, compensation equal to the difference between such salary and 50 per cent of the salary provided by law for the ambassador or minister at such post."

Mr. MACON. Mr. Chairman, reserving the point of order against that paragraph, I would like to ask the chairman the reason for this change.

Mr. COUSINS. The reason is this: For many years a portion of the salary, or compensation, of chargé d'affaires has



had to be appropriated in the deficiency appropriation bill. This provision does not increase the amount in any instance.

Mr. MACON. Then, it is simply desired to obviate the necessity of making two appropriations?

Mr. COUSINS. Exactly.

Mr. MACON. I withdraw the point of order.

The Clerk read as follows:

For six student interpreters at the embassy to Japan, who shall be citizens of the United States, and whose duty it shall be to study the Japanese language with a view to supplying interpreters to the embassy and consulates in Japan, at \$1,000 each, \$6,000: *Provided*, That said student interpreters shall be chosen in such manner as will make the selections nonpartisan: *And provided further*, That upon receiving such appointment each student interpreter shall sign an agreement to continue in the service as interpreter to the embassy and consulates in Japan so long as his said services may be required within a period of five years.

Mr. MANN. Mr. Chairman, I reserve the point of order on that paragraph. I would ask the gentleman in charge of the bill whether it is necessary to have 10 student interpreters at Constantinople. I can see the reason for 10 in China and for a number in Japan, but it seems to me that 10 at Constantinople is a large number.

Mr. COUSINS. No; we have necessity for the employment of 15 interpreters for Turkey and the region around Turkey where the Turkish and Arabic languages are used.

Mr. MANN. I withdraw the point of order.

Mr. MACON. I renew the point of order. Is that the provision for 10 interpreters for Turkey?

Mr. MANN. They are student interpreters. It is on page 8.

Mr. COUSINS. It will be the most economic investment the Government can make.

Mr. MACON. The gentleman from Illinois is ahead of the reading clerk. He has not yet reached the provision. I withdraw the point of order.

The Clerk read as follows:

For 10 student interpreters at the embassy to Turkey, who shall be citizens of the United States, and whose duty it shall be to study the language of Turkey with a view to supplying interpreters to the embassy and consulates in Turkey, at \$1,000 each, \$10,000: *Provided*, That said student interpreters shall be chosen in such manner as will make the selections nonpartisan: *And provided further*, That upon receiving such appointment each student interpreter shall sign an agreement to continue in the service as interpreter to the embassy and consulates in Turkey so long as his said services may be required within a period of five years.

Mr. MACON. Mr. Chairman, I reserve the point of order upon that paragraph, for the purpose of asking the gentleman a question in regard to it. What is the necessity for the creation of these 10 positions at \$1,000 a year each in Turkey?

Mr. COUSINS. I was answering a moment ago a question which I thought pertained to this paragraph when I said that there are 15 posts at which we must have interpreters, and we can not hire them for the amount that we are paying the student interpreters in China and Japan now, \$1,000.

Mr. MACON. Under existing law do we employ fifteen?

Mr. COUSINS. We have to have fifteen in Turkey and the surrounding region.

Mr. MACON. And that is necessary under existing law?

Mr. COUSINS. I will ask the Clerk to read a few statements here that I think ought to be in the Record, pertaining to the trade and prospects of trade with Turkey under their new government.

Mr. MACON. I expect the gentleman and I can get together without waiting for this reading.

Mr. COUSINS. I think this ought to be in the Record.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

The September (1908) number of the Near East, a paper devoted to the political and commercial interests of the Turkish Empire, said:

"For many years past, firms endeavoring to do business in the Ottoman Empire have met with difficulties. The extension of their clientele has been accomplished only by slow degrees. The openings for the development of trade have not been numerous. It is now generally admitted that these drawbacks will disappear. It is no exaggeration to state that the amount of trade which is to be secured within the confines of the Ottoman Empire is gigantic. In spite of the country's wealth of material, the bulk of the goods consumed is purchased abroad."

OCTOBER 13, 1908.

Consul William C. Magelssen, at Bagdad, says of conditions in that part of Asiatic Turkey:

"The foreign trade of Bagdad, including imports and exports, for 1907 amounted to \$23,577,813. Although the United States is one of Turkish Arabia's best customers, the latter takes practically nothing in return. With the completion of the Bagdad Railway, and the subsequent development of Mesopotamia and adjoining regions, the trade will in the near future be doubled, and American manufacturers would do well to make an effort to secure their proper share of this commerce."

Consul-General Ravndal, of Beirut, in the Daily Consular Report for October 22, 1908, reports that in a recent decree the provisions prohibiting the importation into Turkey of typewriters with Arabic, Armenian, or Turkish characters or lettering have been abolished, and he urges the American manufacturers of typewriters to bestir themselves, as to gain a foothold in these virgin markets.

JANUARY 25, 1909.

Consul-General Ravndal, at Beirut, says:  
"Already the commerce of the Levant, although still in its infancy, is considerable. Turkey alone exports goods to the value of approximately \$100,000,000, while her imports are still more important. For the fiscal year ended March 31, 1906, they were officially estimated at \$138,792,933. As for the United States, it buys in a year Turkish products to the amount of about \$15,000,000 and sells to Turkey American manufactures valued at about \$4,500,000."

JANUARY 28, 1909.

Special Agent R. R. Dennis, in a special report on the American farm-implement trade with Turkey, says:

"The great change that has lately taken place in the Ottoman Empire promises to be the forerunner of an immense increase in the volume of foreign trade."

NOVEMBER 27, 1908.

A native of Turkey, who is now in business in New York City, wrote to the Bureau of Manufactures as follows:

"With the new constitution in the Ottoman Empire, articles formerly not allowed to enter the country started going there with a rush since the restrictions and drawbacks existing under the old régime have been removed by the new, and an immense field of trade and enterprise is opening in the whole country. The openings for the American staple products and manufactures and the trade opportunities for the American capitalist are many, and those who will be the first on the ground will reap the best profits."

Mr. MACON. Now, Mr. Chairman, I desire to ask the gentleman, after the reading of that very important communication, if under existing law it is necessary to employ the 15 interpreters in Turkey; and if so, what is the total cost of their employment?

Mr. COUSINS. The total cost would be more than if we do not educate and employ American citizens.

Mr. MACON. I see that it will cost \$10,000 in this particular paragraph for the salaries of the 10 students.

Mr. COUSINS. Exactly.

Mr. MACON. Then in the next paragraph we provide for the payment of \$125 a year for each student.

Mr. COUSINS. Oh, that is for their schooling, their tuition.

Mr. MACON. And that practically makes \$1,125 per annum for each of them.

Mr. COUSINS. That is all. As I said, it is one of the most economic investments that we have ever made.

Mr. MACON. Does the gentleman remember just what we pay the 15 interpreters that we are employing under existing law?

Mr. COUSINS. No; I could not give the exact amount.

Mr. MACON. The gentleman assures me as chairman of the committee, after having made investigation, that this will not be in excess of existing expenditures for this service.

Mr. COUSINS. Not at all. In fact, I can give the gentleman the word of the Chief of the Consular Bureau, who says it will be an economic investment.

Mr. MACON. The gentleman's word is good to me.

Mr. COUSINS. I should dislike very much if the gentleman should make any objection to a provision which will, as these testimonials show, open a vast field of trade, and very likely in cotton goods, and I take it that the gentleman is somewhat interested in that.

Mr. MACON. The gentleman understands that I have no desire on earth to hinder the progress of the affairs of any of the departments of the Government.

Mr. COUSINS. That is right.

Mr. MACON. My only idea in connection with this matter being to prevent an unnecessary depletion of the finances of the country, I do not want to be a party to the increase of our expenditures, and thereby further exploit the revenues of the country, when it is not absolutely necessary to do so. Mr. Chairman, I withdraw the point of order.

The Clerk read as follows:

CLERKS AT THE EMBASSY AT LONDON.

For 2 clerks at the embassy to Great Britain, 1 at the rate of \$1,500 per annum and 1 at the rate of \$1,200 per annum, \$3,000.

Mr. EDWARDS of Georgia. Mr. Chairman, I wish to ask the gentleman in charge of the bill if he would object to this amendment to that paragraph, to insert the words "who shall be American citizens" after the word "clerks," in line 9, on page 9?

Mr. COUSINS. Mr. Chairman, I can not hear the gentleman.

Mr. EDWARDS of Georgia. I ask the gentleman if there would be any objection to this amendment, to insert the words "who shall be American citizens" in line 9, page 9, so the paragraph will read:

For two clerks who shall be American citizens at the embassy at Great Britain, etc.

Mr. COUSINS. Well, we have a general law now that every one receiving a salary as high as \$1,000 shall be an American citizen.

Mr. EDWARDS of Georgia. Then I wish to ask the gentleman why it is necessary to insert back here—the exact item I can not place now, but I remember the reading of it—that they should be American citizens?

Mr. PERKINS. Those are interpreters.

Mr. COUSINS. They are secretaries of legations, and it is necessary that they should be American citizens, because, for one reason, they have charge of important papers.

Mr. EDWARDS of Georgia. But they receive salaries of over \$1,000 a year.

Mr. COUSINS. All of them.

Mr. EDWARDS of Georgia. What distinction do you draw between clerks and secretaries?

Mr. MANN. They do not receive salaries of over \$1,000 a year, but receive salaries of \$1,000 a year.

Mr. EDWARDS of Georgia. You have that provision on page 8, line 12, so why not have it on line 9, page 9?

Mr. COUSINS. You can not procure American citizens for \$800 who are competent to do this work, and the Congress in its wisdom fixed a limit at \$1,000, and it has accomplished almost a complete Americanization of the foreign service. Of course the amendment, if offered, would be subject to a point of order, because it would be a change of existing law, and I should be obliged to make the point of order.

Mr. PERKINS. Will the gentleman allow me a moment? I think perhaps the gentleman misunderstood the subject about which he asked; and that was with respect to interpreters, was it not? He said the words "American citizens" were put in another part of the bill. The provision on page 8 is in reference to interpreters. The general provision covers assistant secretaries and consular agents. There was some question whether the general provision of law would apply also to interpreters, so it was deemed best to have a special clause in reference to interpreters, directing that they should be citizens of the United States, which is not required in reference to other employees. That explains, I think, the matter and the reason for this provision being found in the paragraph.

Mr. EDWARDS of Georgia. Of course, I shall not offer the amendment if it is covered by existing law. I merely raised the question to get information on the matter.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Crockett, its reading clerk, announced that the Senate had passed without amendment bill of the following title:

H. R. 24373. An act to reimburse Royal L. Sweany, late deputy collector of internal revenue at Tacoma, Wash.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 26305) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1910, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PENROSE, Mr. DOLLIVER, and Mr. CLAY as the conferees on the part of the Senate.

The message also announced that the Senate had disagreed to the amendment of the House of Representatives to the bill (S. 2982) to codify, revise, and amend the penal laws of the United States, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HEYBURN, Mr. SUTHERLAND, and Mr. McLAURIN as the conferees on the part of the Senate.

The message also announced that the Senate had passed joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

S. R. 138. Joint resolution to provide for the printing of 25,000 copies of a portion of the report of the National Conservation Commission.

The message also announced that the Senate had passed the following bill and resolution, in which the concurrence of the House of Representatives was requested:

S. 9154. An act to amend an act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1909, and for other purposes, approved May 27, 1908.

Senate concurrent resolution 101.

*Resolved by the Senate (the House of Representatives concurring).* That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of that part of the Arkansas River between Little Rock and Dardanelle with a view to ascertaining if said part of said river is susceptible of being made available for purposes of navigation during the entire year, and, if found capable of being made so available, then to report an estimate of the cost of improving such part of said river by the construction of locks and dams, or otherwise, as well as to report an estimate of the probable tonnage that will seek transportation thereon in the event the same were so improved.

#### DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

#### CONTINGENT EXPENSES, FOREIGN MISSIONS.

To enable the President to provide, at the public expense, all such stationery, blanks, records, and other books, seals, presses, flags, and signs as he shall think necessary for the several embassies and legations in the transaction of their business, and also for rent, postage, telegrams, furniture, messenger service, compensation of kavasses, guards, dragomans, and porters, including compensation of interpreters, and the compensation of dispatch agents at London, New York, and San Francisco, and for traveling and miscellaneous expenses of embassies and legations, and for printing in the Department of State, and for loss on bills of exchange to and from embassies and legations, \$325,000.

Mr. HAMLIN. Mr. Chairman, I move to strike out the last word. I do it for the purpose of getting some information from the chairman of the committee, and I know of no better source of getting it than of him. The bill appropriating funds for this established purpose covering the fiscal year 1908, the only year that I have the report on, was only \$225,000.

Mr. COUSINS. Yes.

Mr. HAMLIN. I notice in the report of the Secretary of State that he did not use that amount even by some \$7,000. Now, why this increase of \$100,000 per annum for this item?

Mr. COUSINS. This increase was provided in the bill in the last Congress.

Mr. HAMLIN. I am aware of that fact, but what was the reason for it?

Mr. COUSINS. The reason for it was that our representatives abroad, in many instances, were buying their own typewriting machines and paying postage on letters in answering communications from American merchants, and have been for a decade or more, and the Congress, in the last session, provided for that; and the fact that \$7,000 was returned to the Treasury only shows the exactness with which this administration is carried on by the State Department, and instead of being subject to criticism it is a most commendable thing that when they found they did not need it it is returned to the Treasury.

Mr. HAMLIN. Now, Mr. Chairman, I do not want to be put in the attitude of criticising; I am simply asking for information.

Mr. COUSINS. I do not wish to put the gentleman in that attitude, and I am glad to give such information as I can.

Mr. HAMLIN. I do not want to cripple this part of the service in any way whatever, but I would like to ask this question: Why were these officers abroad compelled to pay money out of their own pockets heretofore? Was it because the Government did not appropriate sufficient money?

Mr. COUSINS. Precisely; and it was perhaps because these men had so much at heart the interest of American business that they were willing to put their hands in their own pockets and pay the postage.

Mr. HAMLIN. Then, if the gentleman is not in error as to his statement, why did they not use the whole \$225,000 appropriated for the department for that purpose for the fiscal year 1908?

Mr. COUSINS. Because you can never know how much of a contingent fund will be used.

Mr. HAMLIN. But, if these men were needing this amount of money for the purpose of paying postage, and so forth, why did not the department use the \$225,000 instead of turning back nearly \$8,000?

Mr. COUSINS. Because they found at that particular time it was not necessary; and that is most commendable conduct on the part of the State Department, in my judgment.

Mr. HAMLIN. Does the evidence which has been presented to the gentleman convince him that the full \$325,000 will be needed to pay the expenses during the next fiscal year?

Mr. COUSINS. I believe so; I have never known an administration of affairs that has been conducted more exactly for the public interest than has been the administration in the State Department in recent years.

Mr. HAMLIN. Now, Mr. Chairman, I would like to call the attention of the committee to this fact: That there was appropriated for this purpose for the fiscal year 1908, \$225,000; there was expended \$218,964.91, leaving a balance of \$6,035.09, credited to this fund, with a repayment of \$1,245.81, making a balance of \$7,282.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAMLIN. I would like to have two minutes more.

The CHAIRMAN. The gentleman asks unanimous consent for two minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. HAMLIN. Now, the point that I can not understand is why, if these consular agents and other representatives of the



Government in foreign countries needed money to pay their expenses, that \$7,000 of money already appropriated for that purpose was not used for reimbursement to them for any expenses they had been to. I can not see the condition arising why there should be an increase of \$100,000 in twelve months in this item alone.

Mr. COUSINS. Why, it is not an increase. This appropriation of the amount mentioned by the gentleman affects not only the paying of postage and buying of typewriting machines, but for rent of offices as well. For years the consuls have been allowed to live in back streets and alleys and in the poorest places in foreign cities.

We have improved that condition by giving increased rent allowances and have bettered the conditions in the offices by procuring typewriting machines; by paying the postage, which had formerly been paid out of the pockets of these gentlemen who represent our interests abroad; by installing necessary furniture and books.

Mr. HAMLIN. Then, I come back to the gentleman with the question, If that condition existed, why did they not use the full \$225,000 that was appropriated for the year 1908?

Mr. COUSINS. As I said to the gentleman, you never can know what the contingencies will be.

Mr. HAMLIN. These men report to the Secretary of State, do they not?

Mr. COUSINS. Yes, sir.

Mr. HAMLIN. He would know that when he gets these reports.

Mr. COUSINS. They are sent and must be audited in the Treasury Department.

Mr. HAMLIN. I withdraw the pro forma amendment.

The Clerk read as follows:

TRANSPORTATION OF DIPLOMATIC AND CONSULAR OFFICERS IN GOING TO AND RETURNING FROM THEIR POSTS.

To pay the cost of the transportation of diplomatic and consular officers in going to and returning from their posts, or when traveling under the orders of the Secretary of State, at the rate of 5 cents per mile, but not including any expense incurred in connection with leaves of absence, to continue available during the fiscal year 1910, \$30,000.

Mr. EDWARDS of Georgia. Mr. Chairman, I wish to submit the following amendment to that paragraph: Insert the word "actual" after the word "the" and before the word "cost," in line 5, page 10; and the words "not to exceed" at the beginning of line 8, page 10; and strike out the word "at" in line 8, so that the paragraph will read:

To pay the actual cost of the transportation of diplomatic and consular officers in going to and returning from their posts or when traveling under orders of the Secretary of State, not to exceed the rate of 5 cents per mile.

Mr. COUSINS. I have not the slightest objection to the amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Line 5, page 10, before the word "cost," insert the word "actual;" at the beginning of line 8 strike out the word "at" and insert the words "not to exceed."

Mr. COUSINS. I have not the slightest objection to the amendment.

Mr. FASSETT. I would like the gentleman to explain about cost and actual cost.

The question was taken, and the Chairman announced that the "noes" seemed to have it.

Mr. EDWARDS of Georgia. I ask for a division.

The committee divided; and there were—ayes 16, noes 45.

Mr. HAMLIN. I move to strike out the last word, and would like to ask the chairman of the committee another question in regard to this item. There has been carried, it appears, in these bills covering this item \$30,000 each year. I notice in the last report that we have from the Secretary of State for the year 1908 there was only \$8,259.79 used for the purposes provided for in this paragraph. Now, supposing that that is an average, at least, of the expenses required under this item for each year, I would like to know the necessity of appropriating from year to year \$30,000 for this purpose.

Mr. COUSINS. The gentleman has the report for two years ago.

Mr. HAMLIN. I have the last report issued by the Secretary of State that is available to Members. I have the report for the year which closed June 30, 1908.

Mr. COUSINS. That was appropriated for in 1907.

Mr. HAMLIN. Yes; but it does not make any difference when it was appropriated. The point I make is that there was an appropriation of \$30,000, and only \$8,000 was used.

Mr. COUSINS. And every cent that was not needed reverted to the Treasury.

Mr. HAMLIN. Then, can the gentleman tell me—

Mr. COUSINS. And I wish to say, further, that there was an additional amount carried in one of the appropriation bills reported by the chairman of the Committee on Appropriations.

Mr. HAMLIN. Can the gentleman give us any reason why there will be \$30,000 needed for the next fiscal year for this purpose?

Mr. COUSINS. The only reason is the judgment of the Secretary of State; and if there is one penny more appropriated than is necessary, it will revert to the Treasury. You never can know a year in advance how much money will be required for the transportation of these officers, but you do know that every dollar of it must be audited and go through the Treasury Department.

Mr. HAMLIN. I for one am opposed to appropriating blindly a lot of money for any purpose.

Mr. NORRIS. I agree with the gentleman that we ought to be as economical as we can; but does not this idea suggest itself to the gentleman, that is it very uncertain as to how much we will use of this appropriation, because there might be some serious international difficulties that might make it necessary for the agents of the Government to do considerable traveling, and they would have to be paid out of this fund; and if we were holding the appropriation down to a too close figure, it might be impossible, without a violation of the law, for the Government to send its agents to different places that might be necessary?

Mr. HAMLIN. I recognize the fact that we can imagine a great many things which might arise; but it seems to me that to appropriate four times as much as has been used is stretching it a little.

Mr. NORRIS. But because it is appropriated that does not mean that the money is lost or unnecessarily expended.

Mr. HAMLIN. It is not lost, but you are tying it up unnecessarily. I do not think it ought to be done.

Mr. MANN. Will the gentleman yield for a question?

Mr. HAMLIN. With pleasure.

Mr. MANN. Does the gentleman recall the fact that we have a new administration coming in, and that there will probably be a larger number of changes than in the fiscal year 1908?

Mr. HAMLIN. I confess, Mr. Chairman—

Mr. MANN. And that there might be changes made in many cases with profit.

Mr. HAMLIN. I had overlooked for the moment the fact that we are to have a new administration come in, and had overlooked the fact that the policy of that administration seems to be to increase all salaries and expenses.

Mr. COUSINS. No; there is no increase in this.

Mr. HAMLIN. I withdraw the pro forma amendment.

The Clerk read as follows:

EXPENSES UNDER THE NEUTRALITY ACT.

To meet the necessary expenses attendant upon the execution of the neutrality act, to be expended under the direction of the President pursuant to the requirement of section 291 of the Revised Statutes, \$8,000, or so much thereof as may be necessary.

Mr. HAMLIN. Mr. Chairman, I should like to ask the chairman of the committee a question in relation to this. Can he inform the committee whether any of the \$8,000 appropriated last year and the year before has ever been used, or whether there has been any necessity for using it?

Mr. COUSINS. If it was not actually used, it reverted to the Treasury, as I have said in reference to other items.

Mr. HAMLIN. What is the purpose of this appropriation, may I ask?

Mr. COUSINS. The "neutrality act," so called, is the act of April 20, 1818, declaring the policy of the United States toward foreign governments and the rights of individuals within the United States with reference to foreign complications, including enlisting in or accepting commission in foreign service while in the United States, arming vessels against people at peace with the United States, or to cruise against citizens of the United States, compelling foreign vessels to depart, and so forth.

The expenses of the foregoing paid under provisions of section 291, Revised Statutes, were as follows: 1905, \$414.02; 1906, \$671.49; 1907, \$232.10.

Mr. HAMLIN. In 1908 there was no expenditure.

Mr. COUSINS. If there was no expenditure, then the money reverted to the Treasury.

Mr. HAMLIN. If there is no expenditure under this, what is the necessity of appropriating the money?

Mr. COUSINS. There was a time, near about the date of the Spanish war, when a vastly greater amount was needed. This is a sort of emergency fund; nobody can run away with it; it must revert to the Treasury if not properly expended.

Mr. HAMLIN. We can start them off with an opportunity to run away with it.

Mr. COUSINS. Oh, no; no one can get a penny of it improperly.

The Clerk read as follows:

REPAIRS TO LEGATION AND CONSULAR PREMISES.

To enable the Secretary of State to keep in repair the legation and consular premises owned by the Government of the United States and occupied by its agents, \$10,000.

Mr. FASSETT. Mr. Chairman, I would like to offer an amendment after the last paragraph.

The Clerk read as follows:

Insert after line 12, page 13, the following:

"Installation of water supply at Seoul: To enable the Secretary of State to install a water-supply system in the American consulate-general at Seoul, Korea, \$971.95."

Mr. COUSINS. Mr. Chairman, I will say for the information of the Committee of the Whole that this item has been acted upon by the Committee on Foreign Affairs. Items of cost have been fully set forth by the department in House document No. 1430, and it is really necessary that this provision should be inserted.

The amendment was agreed to.

The Clerk read as follows:

INTERNATIONAL BUREAU OF AMERICAN REPUBLICS.

International Bureau of American Republics, \$54,000: *Provided*, That any moneys received from the other American republics for the support of the bureau, or from the sale of the bureau publications, shall be paid into the Treasury as a credit, in addition to the appropriation, and may be drawn therefrom upon requisitions of the Secretary of State for the purpose of meeting the expenses of the bureau: *And provided further*, That the Public Printer be, and he is hereby, authorized to print an edition of the Monthly Bulletin, not to exceed 5,000 copies, for distribution by the bureau every month during the fiscal year ending June 30, 1910.

Mr. MANN. Mr. Chairman, I reserve a point of order. I wish to ask the gentleman about the item in reference to the International Prison Congress. Is \$10,000 all they asked for?

Mr. COUSINS. They asked for \$50,000, but the committee put it at \$10,000.

Mr. MANN. Does the gentleman think that is sufficient? As I remember, every time we have appropriated for expenses of our commissioners to the International Prison Congress, when it was abroad, we appropriated considerably more than \$10,000. I assume that it will cost more when the congress is held here, and we have to do something toward taking care of the delegates, than it did when the congress was held abroad. Is it expected that there is to be any other appropriation in some other bill on this subject?

Mr. COUSINS. I do not think that it is so expected. Some members of the committee thought that \$5,000 would be sufficient, inasmuch as we were to entertain them here at home, but the department asked for \$50,000.

Mr. MANN. That did not meet with the approval of the gentleman from Vermont [Mr. FOSTER], for I remember that he figured on the proposition that we should have \$25,000 to take care of the commissioners from two countries at an entertainment of some kind up on Lake Champlain.

Mr. PERKINS. But there was no appropriation for that amount.

Mr. MANN. No; the gentleman from Vermont said it should be \$25,000.

Mr. COUSINS. As to the Lake Champlain appropriation, I will be ominously silent on that subject. [Laughter.]

Mr. MANN. I thought I might get a rise from the gentleman from Vermont. [Laughter.]

Mr. COUSINS. I have a fellowfeeling for him because he is a member of the committee. We thought we could entertain this prison congress for \$10,000. I remember that the gentleman from Mississippi last year raised the question whether we should appropriate anything at all to maintain this institution.

Mr. MANN. I have raised that question several times myself in the House.

Mr. COUSINS. It happens that nearly forty years ago this House, or this Government, originated the idea of the prison congress. We are in a way obligated by reason of our history on the subject to carry out this proposition of the department, because we have invited these people, and the committee, after a good deal of discussion, concluded that we could entertain the delegates for \$10,000. If the gentleman from Illinois wishes to offer an amendment for a larger amount, I would be glad to test the sense of the Committee of the Whole.

Mr. PERKINS. Mr. Chairman, I regret to say that I shall have to raise a point of order against any such amendment.

Mr. MANN. I regret to say that my attention was distracted at the time we passed the item or I should have offered an amendment, which would not have been subject to a point of order, increasing the amount. If we are to entertain these gentlemen, we ought to do it with dignity.

Mr. PERKINS. That matter was carefully considered by the committee, and it was thought that for the purpose of entertaining the delegates here \$10,000 was amply sufficient. It was suggested by some interested in the cause that our Government should pay the expenses of delegates from the other countries who should go over the United States and view the prisons, inasmuch as the prison at Washington does not make this a special point for investigation. It did not seem to the committee that it was reasonable that the Government of the United States should pay the expenses of a large number of gentlemen interested in this subject traveling all over the land. We will entertain them here, but it did not seem right that we should take the money of the people of the United States to pay their traveling expenses for investigations.

Mr. MANN. When the gentleman says "travel all over the land," of course nobody would justify that.

Mr. PERKINS. Oh, no; but to go to various places where prisons are found, to go to places of special interest to those engaged in the study of criminal or prison statistics.

Mr. MANN. Here is an international prison congress, originated in this House, originated by this Government, which for the first time in its history meets in this country; and what do we propose to do? As Congress is not in session they can not show them Congress. Certainly they will not show them any prison in the District of Columbia, because there is no prison here that any gentleman would want to show to a foreign prison delegate with respect to himself or with respect to the delegate. What will they do? They ought to be able to show them the prisons in the district represented by the gentleman from Kansas, Fort Leavenworth—a credit to the United States. They ought to be able to show them some prisons that are a credit to the United States; but they will come here and go away, perhaps, after viewing the prison in Washington, with a feeling that the United States is so far behind on any kind of humanitarianism that they ought never to come back to this country.

Mr. PERKINS. I would like to ask the gentleman whether, when the delegates from this country have gone to other countries, the other countries have paid their expenses or whether our own Government has? I understand that we paid the expenses of those we sent abroad to investigate the question of prisons there, and I do not see why delegates coming here now should not do the same.

Mr. MANN. My information is that these delegates have been shown the prisons in foreign countries at the expense of the foreign countries, but that has gone by.

Mr. COUSINS. I think very likely out of this sum they could take them to Chicago and show them the institutions there that may be a credit to the Nation; and, furthermore, I want to suggest that there is no telling what may happen to this legislation in its travels after it leaves the House. Possibly it might be well for us to be a little conservative of the amount to start with.

Mr. MANN. Well, while I believe that the Senate is the greatest legislative body in the world, and occasionally crosses a "t" or dots an "i" with advantage, I hope that it will do it this time.

Mr. COUSINS. I hope, then, that if we are thrown down and forced to accept a larger amount, to have the able assistance of the gentleman from Illinois in the final test.

Mr. MANN. I believe that when you do a thing at all you ought to do it in a creditable manner. If you are entertaining guests, do not be stingy about it. If you do not want to invite guests, do not invite them. [Applause.]

Mr. COUSINS. I am very glad to hear that announcement, and I think it will help other provisions in the bill and in other bills. I quite agree with the gentleman, but the committee reached this conclusion.

Mr. MANN. Now, may I ask the gentleman in reference to the paragraph under discussion, which relates to the publication of the Bureau of the American Republics and which provides that the amounts received from the sale of the bureau publications shall be paid into the Treasury as a credit in addition to the appropriation? Does not the gentleman think that these indefinite appropriations of that sort, as a rule, are improper? Do not we appropriate enough money to publish the bulletin issued by this bureau?

Mr. COUSINS. Well, this is existing law and they are now issuing the most valuable bulletins that have ever been issued by the department, and I think the Members of the House realize that fact. I myself have received lately some of the most valuable publications that I have ever had, to be bound for my private library, and I am fully in accord with this appropriation, as I believe other Members are.

Mr. MANN. Nobody is objecting to that, but \$54,000 is appropriated. Now, it has been the constant practice of this



House to object to a provision covering money received from something of that sort back into an appropriation, and not covering it into the Treasury.

Mr. COUSINS. Well, the amount realized from the sale of publications last year was \$1,690.21.

Mr. MANN. I do not think they need it. I make the point of order on the words in line 17, page 15, "or from the sale of the bureau publications." That simply means they will be covered into the Treasury. We appropriate the money necessary to run the publications.

Mr. NORRIS. That would mean also that the appropriation would be cut down by whatever amount would otherwise come in by virtue of these sales.

Mr. MANN. They would lose this thousand dollars.

Mr. NORRIS. The appropriation is already too small for that particular item.

Mr. COUSINS. I hope the gentleman will not cripple the publication of these documents. It is a small matter. I doubt if it is subject to a point of order. It is existing law.

Mr. MANN. I beg the gentleman's pardon, but it is not existing law.

The CHAIRMAN. Just a moment. Let the Chair understand the objection made by the gentleman from Illinois. Is it to the words in line 17, beginning with the word "or" and ending with the word "publications?"

Mr. MANN. Yes.

The CHAIRMAN. The Chair will be glad to hear from the gentleman from Iowa.

Mr. COUSINS. Mr. Chairman, the only thing to say is that it has been existing law for many years. I suppose it went in originally on an appropriation bill, and I suppose this committee can deprive itself of the credit of nearly all legislation if it wants to by technical points of order.

The CHAIRMAN. The Chair would like to ask the gentleman from Iowa whether this is existing law in any statute outside of an appropriation bill?

Mr. COUSINS. I think not; I think it went in on an appropriation bill. I am going to be perfectly frank with the committee; but I want to say again that the committee can deprive itself of the credit of a great deal of good legislation if it chooses to do so.

Mr. FASSETT. Mr. Chairman, I would like to ask the gentleman from Illinois, if he insists upon his point of order and it goes out, whether it will not be well to increase the total amount from \$54,000 to \$55,600?

Mr. MANN. I have no objection.

Mr. FASSETT. That will make it then about as broad as it is long.

Mr. MANN. The House has always maintained the principle.

Mr. COUSINS. Well, if the point of order is insisted on, I will offer the amendment that the total—

The CHAIRMAN. The Chair sustains the point of order made by the gentleman from Illinois.

Mr. COUSINS. Mr. Chairman, I offer this amendment: In line 14 strike out the word "fifty-four" and insert "fifty-six."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 15, line 14, strike out the word "fifty-four" and insert the word "fifty-six."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The question was taken, and the amendment was agreed to.

Mr. NORRIS. Mr. Chairman, I move to strike out the last word. I want to say, Mr. Chairman, I was very much pleased to hear the chairman of this committee make the comment he did make upon the publications of this bureau. I have been looking into it somewhat recently, and it seems to me that several copies of these bulletins that were issued are of exceptional high grade and quality; and it does occur to me that there ought to be some steps taken by which quite a number of these publications could be given as a quota to Members of Congress for free distribution, or that some other method should be adopted by which some of these publications could be distributed without expense; and I would like to ask the chairman if his committee has given any consideration to that subject?

Mr. COUSINS. I will say to the gentleman that I recently had a letter from the director of the bureau inviting me to give the names of such persons as might wish to receive these publications, and I have not the slightest doubt that if the gentleman will address a communication to the director that he can have the publications to furnish such libraries in his district as he may desire.

Mr. NORRIS. But I judge the law provides, from this item in this bill, that these publications shall be sold, and I presume

that, comparatively speaking, a very small number of them could be given out free, and it is a publication that, as an educational medium on the subjects dealt with in the publication, can hardly be surpassed; and it ought to be, it seems to me, given for distribution. There are many people all over the country who do not know that such a thing is issued, who would be immensely interested if it could be brought to their attention.

Mr. COUSINS. Well, these publications are costly; they are illustrated—

Mr. NORRIS. Yes.

Mr. COUSINS (continuing). And the committee has been, as I have indicated, very conservative about expenses; and as I have said, I think the gentleman can get these for his libraries, where reference can be had to them.

Mr. NORRIS. Well, it may be that is true; but it occurred to me since they are published for sale that it would be like an ordinary magazine or newspaper that you could get only what would be given out as sample copies, and if all the Members of the House and Senate were to ask for a reasonable number—

Mr. MANN. If the gentleman will send his name and address, they will send the publication annually. What more can the gentleman ask?

Mr. COUSINS. Certainly; and it will be only a little while when we shall move into the premises provided by Mr. Carnegie, and then we hope our expenses will be curtailed.

Mr. MANN. And if everybody asked for them, they would have to increase the quantity published.

The Clerk read as follows:

#### INTERNATIONAL INSTITUTE OF AGRICULTURE.

For the payment of the quota of the United States for the support of the International Institute of Agriculture for the calendar year 1909, \$4,800.

Mr. COUSINS. Mr. Chairman, I offer the following amendment:

Page 16, line 13, strike out the word "nine" and insert the word "ten."

So as to read:

Calendar year 1910.

It is a clerical error in the print.

The Clerk read as follows:

Page 16, line 13, strike out the word "nine" and insert the word "ten."

The question was taken, and the amendment was agreed to.

Mr. MANN. I move to strike out the last word. If anyone in the House is able to give any excuse whatever for this appropriation I wish somebody would do it. The idea of our contributing to maintain an agricultural institute in Rome, when we are the agricultural nation of the world, is to my mind the most ridiculous proposition that I have ever heard submitted. It is not in the interests of agriculture; it is for a particular individual.

Mr. COUSINS. We have agreed to this by international convention, the most solemn obligation that we have; and we have cut down the amount of the estimate from \$14,000 to \$4,000.

Mr. NORRIS. Will the gentleman explain what this institute is for?

Mr. COUSINS. It is to consider agriculture in all its phases.

Mr. NORRIS. When was the international agreement made in regard to it?

Mr. COUSINS. It was signed at Rome, June 7, 1905.

Mr. NORRIS. Do we get reports from this institute?

Mr. COUSINS. Yes; the Department of Agriculture gets reports.

Mr. NORRIS. Have they been of any practical benefit to our people?

Mr. COUSINS. Probably no nation in the world can help us very much on agriculture, but it helps in international amity.

Mr. MANN. Then this contribution is not to agriculture, but to amity?

Mr. COUSINS. There are many things that we gain by international amity.

Mr. MANN. Has the gentleman ever heard of a report being made?

Mr. COUSINS. I dare say that the conventions that are held between the nations of the earth are of vastly greater importance to the United States than to other governments.

Mr. MANN. The gentleman speaks of convention. This is a private snap over in Rome.

Mr. COUSINS. Not at all.

Mr. MANN. Certainly.

Mr. COUSINS. It is an international convention between us and eight other nations.

Mr. MANN. It is a private snap over in Rome. I know what it is.

Mr. WILLIAMS. I move to strike out the last word.

Mr. COUSINS. Why, the gentleman calls it a private snap. Our representative gets no salary whatever. The conventions are carried on by our representatives over there.

Mr. NORRIS. Is the institute always held in the same place?

Mr. COUSINS. Yes.

Mr. WILLIAMS. I believe I have the floor. I wish to ask the gentleman a question. Have you any idea how long these various international congresses and institutes are going to be continued? We have a dozen international institutes and congresses. We have the Institute of Agriculture, the International Railway Congress, the International Prison Commission, and all these various things. Is there any idea to make them permanent, or what do they expect to do with them?

Mr. COUSINS. I remember the gentleman asked the question as to the prison congress last session. I told him then that we should investigate the subject, and in all probability we will get rid of that at the next session. But this year it happened to be the fact that we have invited these nations to participate in a meeting which we ourselves originated.

Mr. WILLIAMS. I see the force of that.

Mr. COUSINS. I can not answer as to how long this international agricultural convention will be held.

Mr. WILLIAMS. It seems to me it would be very bad policy to encourage the existence of a lot of permanent international institutions and congresses of this sort.

Mr. COUSINS. Let me say to the gentleman that this year the State Department had invitations for 48 various conventions or congresses and recommended only four. The department has been very conservative in that matter; and, as I said before, the Department of State believes that these international meetings and conventions are of very great good to the country in many ways.

Mr. COLE. I want to say just a word in relation to this international institute of agriculture. About two years ago there was a conference in Rome on the subject of agriculture. Many nations were represented. The authorities in Italy agreed to and did build a very fine building as a permanent home for this institute. They expended \$400,000 in the construction of this building, and each nation is supposed to keep a delegate there, a personal representative.

The purpose of this agricultural institute, as I understand it, is to afford a sort of clearing house for all agricultural information throughout the world. At the present time we have a great many agricultural agents seeking information, making investigations throughout the world. Instead of sending out all those agents to all the various nations of the earth, each nation gathers its information, sends it to this headquarters, and from there as a central point it is disseminated throughout the world, and the United States at the present time receives regular reports from this international court.

And instead of sending special agents out, costing the United States Government tremendous sums of money, we have there a clearing house where all this information can be gathered for a very moderate price.

Mr. YOUNG. Does this institution issue a report, and if so, how is it distributed, and how many come to the United States, and how are they distributed here?

Mr. COLE. I am not familiar with the details of the working of this institute, but, as I understand it, their information is transmitted to the Agricultural Department of the United States, and it is disseminated in the same manner that all other information is disseminated by that department.

Mr. YOUNG. Is it issued by the Department of Agriculture as a special report?

Mr. COLE. I am not familiar with that. In fact, it is merely in its incipiency. Our agent has only been there for about a year and a half or two years, and its practical operation is not perhaps yet perfect, but I think it has within it elements of great value to the agricultural interests, not only of this Nation, but of the civilized world.

Mr. COUSINS. I think it ought to be said in this connection, referring to the remarks of the gentleman from Mississippi [Mr. WILLIAMS] as to the International Railway Congress, that only a year and a half ago probably the most significant evidence furnished to the Senate was by a gentleman from Great Britain, giving the details of their system of railways and railway management. That is published in the documents which you all receive, an outgrowth of this International Railway Convention.

Mr. MANN. Mr. Chairman, the gentleman from Iowa is not to be criticised because he is not familiar with this item or

with the work done by the item, and no gentleman in the House is subject to criticism for lack of knowledge of the subject. The gentleman from Iowa seemed to assume that this item was for a convention. He stated that it was to pay the expenses of a convention. Now, there was no convention held last year, there is no convention held this year, there will be no convention held next year, but the item is just the same. It is not for a convention at all.

Mr. COUSINS. The gentleman must not put me in that attitude. My statement was that it is a permanent institution.

Mr. MANN. Well, the gentleman may revise his remarks as he pleases. I do not care what he says.

Mr. COUSINS. I have no need to revise my remarks.

Mr. MANN. That is all right. I am perfectly willing; but what the gentleman said was that it was to pay the expenses of a convention.

Mr. COUSINS. Oh, no. Now let us understand each other. What I said was that it was created by a convention. This appropriation is not for any special meeting. It is for a permanent institution that was created by an international convention.

Mr. MANN. Some distinguished gentleman of Rome conceived the notion of having an agricultural institute in Rome which he would head, and he went so far that he persuaded a number of nations to agree to that.

Mr. COUSINS. It was a Californian who originated the idea, and the gentleman from Illinois should know that most of the distinguished men of Rome have been dead for a good many years. [Laughter.]

Mr. MANN. And it would be better for the world, probably, if this one were with his fathers. It certainly would be better for our Treasury. This agricultural institute is a pure fake. It does no good for anybody except those who draw the money. It has no standing with the Agricultural Department here. It issues no reports of value to anyone. It is a pure and simple private snap.

Mr. COLE. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. COLE. I wish to state that this proposition is indorsed by the Agricultural Department here, and was indorsed by the agent of the Agricultural Department before the Committee on Agriculture not more than six weeks ago.

Mr. MANN. Oh, I have no doubt of that. I do not deny that statement. I said it had no standing with the Agricultural Department here. Of course, the man who represents the Government over there, drawing this salary, is for the item, and will continue to be.

Mr. WILLIAMS. How much is paid in salaries for this agricultural institute by the United States Government?

Mr. COUSINS. There is no officer that draws a salary under this appropriation.

Mr. MANN. There is not? What is that money used for?

Mr. COUSINS. It is purely for clerical work, in collecting and disseminating information.

Mr. MANN. Who represents the United States at this institute?

Mr. COUSINS. Our representative at Rome.

Mr. MANN. The gentleman from Iowa and the gentleman from Ohio ought not to have their wires crossed. The gentleman from Ohio just said that we had a representative there who is paid out of this appropriation.

Mr. COLE. I did state that we had a representative there—

Mr. MANN. And the gentleman was correct.

Mr. COLE. We have a representative there, but he is not drawing a salary, aside from what he receives as the regular compensation as an agent of the Agricultural Department.

Mr. WILLIAMS. Does anybody know to whom and for what this money is paid? I will ask the gentleman from Ohio or the gentleman from Iowa.

Mr. COUSINS. I said that this is purely for clerical work. Mr. David Lubin does not draw a cent of salary out of this appropriation.

Mr. MANN. I will tell the gentleman what this is for; neither the gentleman from Iowa nor the gentleman from Ohio seems to know what it is for. The money is to maintain and pay the expenses of a part of a building for the benefit of somebody else. A little of it may go for clerical services, but they have a large building there, and this is to pay the running expenses of that building. What is the building for? You might as well have a building at the bottom of the Pacific Ocean as far as any good to this country is concerned.

Mr. COUSINS. Of course the gentleman from Illinois knows more about it than anybody else in the world, when he says that we receive no benefit from it.



Mr. MANN. I may not know more about it than anybody else in the world, but I am willing to put my knowledge against that of the distinguished gentleman from Iowa.

Mr. COUSINS. I think the gentleman knows more about every subject than anybody else in the world. [Laughter.]

Mr. MANN. I am still willing to put my knowledge against that of the gentleman from Iowa.

Mr. HAMLIN. Mr. Chairman, I would like to ask the gentleman if he can give us the name of our representative at this institute at this time?

Mr. COUSINS. David Lubin.

Mr. HAMLIN. Does he make any pretense toward any special knowledge of agriculture?

Mr. COUSINS. I do not know what is in his mind or what his abilities are.

Mr. HAMLIN. Can the gentleman give us any idea how this institute benefits the farmers of America?

Mr. COUSINS. As I said a while ago, I believe every international convention and all international congresses are a benefit to our country. They bring the nations closer together; it helps us in our commerce; it helps us in matters of amity; and there is no doubt, in my judgment, that every time they meet together all conditions are improved.

Mr. HAMLIN. I would like to ask one more question. What authority appointed this man Lubin as our representative?

Mr. COUSINS. The President is authorized by the treaty to make the appointment.

Mr. HOWARD. Mr. Chairman, this provision did not originate with the Committee on Foreign Affairs. It is the result of a convention, technically so—more plainly stated, a treaty—introduced by and between the Government of Italy and the President of the United States and ratified by the Senate of the United States.

This convention imposed certain obligations on the Government of the United States, and it is in pursuance of that obligation, which has the binding effect of law, that the Committee on Foreign Affairs made this appropriation. The history of it is set out, and if the gentleman will permit me, I will read it:

#### INTERNATIONAL INSTITUTE OF AGRICULTURE AT ROME.

This institute was created by an international convention signed at Rome on June 7, 1905, to which the United States is a signatory government. The convention was approved by the Senate on June 27, 1906, was ratified by the President on July 7, 1906, and was proclaimed by the President on July 29, 1908.

Under this convention the United States is required to pay annually the sum of \$4,800 as its share of the expenses of the institute. Connected with the institute is a permanent commission and a general assembly, membership and representation in which require an additional estimated appropriation of \$8,600, making \$13,400. The convention makes no provision for withdrawal therefrom.

The institute has been too recently established to afford an idea of its practical benefits and results. It is primarily of interest to the Department of Agriculture.

Now, then, we appropriate in this bill for the proportional part for the United States of all the expenses.

Mr. HAMLIN. I understand it is not a question whether we want to make the appropriation, but by virtue of the treaty we are compelled to make it.

Mr. HOWARD. We are, unless the treaty is denounced and withdrawn from by the United States.

Mr. HAMLIN. Then there is no use in arguing the matter any further. I think we ought to withdraw from it, but if we have not withdrawn we must make the appropriation.

Mr. HOWARD. The Department of State in the estimate requested an additional \$8,000 for the purpose of enlarging, in a measure, the participation of the United States in this institution. This committee declined, and refused to incorporate one dollar of that additional increase in this bill, and limited the appropriation to only the exact amount required under the treaty.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. SCOTT. Mr. Chairman, it might perhaps be of some interest to the gentleman from Missouri [Mr. HAMLIN] and to others whose attention has been directed to this matter to know that the Committee on Agriculture inquired into it in connection with the hearings had by that committee in preparing its appropriation bill. The hearing was taken up in connection with the remarks made by Doctor Clark, Assistant Chief of the Bureau of Statistics in the Department of Agriculture, who was a delegate to the institute in Rome last summer, and inquiry was made of him as to the practical value of the work being done by the institute. His reply was that that work was regarded by agricultural experts all over the world as being of very considerable value, that the function of the institute was to afford a sort of clearing house for agricultural information throughout the world, and that the information accumulated

by that institute and distributed around among various governments through their agricultural departments was of actual practical benefit and value.

Mr. RUCKER. Will the gentleman yield?

Mr. SCOTT. Yes.

Mr. RUCKER. Does the gentleman know of any benefit the United States has received from that institute?

Mr. SCOTT. I think the gentleman from Missouri [Mr. RUCKER], in questioning Doctor Clark, brought out the suggestion pretty strongly that the United States was giving more than it was receiving through this institute, and yet I think Doctor Clark rather insisted that while at present we may perhaps be contributing more than we gain, still there is a chance that now and then some matter of information may come to us which will be in the nature of news, and may have some real value to us.

Mr. RUCKER. Is it not also true that there is a chance, a strong probability, that if we carry on this nonsensical work over there we will impart to other nations a thousandfold more than we receive?

Mr. SCOTT. That is entirely probable, but I do not see that there is any objection to that. We are living in an altruistic age, and it ought not to be a condemnation of a proposition that as a result of it we give to others more than we obtain from them.

Mr. RUCKER. Does not the gentleman from Kansas believe that this country, the greatest agricultural country in the world, expending ten or twelve million dollars every year in the interests of agriculture, ought not to give the benefit of our researches and our discoveries to nations which compete with the American farmer in the sale of products?

Mr. SCOTT. I would hardly take that view of it. I think that our situation, agriculturally, is so different from that of any other country that any little advantage which they might obtain through acquaintance with information which we have developed here will not bring us any harm.

Mr. RUCKER. Let me ask the gentleman, Did not Doctor Clark also suggest—without undertaking to quote his language—that each representative there refrained from imparting more than he had to; that each sought to get as much from others as possible, in order to derive a benefit; and did not he state that we had infinitely more to impart in respect to the modern methods of agriculture than any other nation on earth?

Mr. SCOTT. I did not get the impression that there was any disposition on the part of representatives of other nations to withhold information which they might have and draw from us all they could get.

Mr. RUCKER. Did the gentleman get the intimation that other nations had any information that would be beneficial to us?

Mr. SCOTT. I fear I have not time to answer that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAMLIN. I ask that his time be extended two minutes. There was no objection.

Mr. HAMLIN. Mr. Chairman, I am confident that there is no better source of information than the chairman of the great Agricultural Committee of this House on this proposition.

Mr. SCOTT. The gentleman does me great honor.

Mr. HAMLIN. I want to ask if he has ever seen any report that has been issued by the Italian institute that would give any information to the farmers whatever?

Mr. SCOTT. I have not seen any such report, but the fact that I have not seen it does not argue that such a report may not have been made. My understanding is that whatever reports do issue from this institute go to the departments of agriculture of the various countries, and the results are used by the officials in those departments.

Mr. HAMLIN. Does the gentleman understand that it is the purpose to issue reports touching on subjects appertaining to agriculture?

Mr. SCOTT. That is my understanding.

Mr. HAMLIN. But the gentleman does not know of any having been issued?

Mr. SCOTT. I do not know personally of any individual reports.

Mr. HAMLIN. Is it a question of theoretic farming, or what is it over there anyway? There are no experimental farms or anything of that kind used in connection with it?

Mr. SCOTT. Oh, not in connection with this institute. All the governments of Europe are spending a greater or smaller sum of money to get information in order to promote agriculture in their respective countries, and in connection with the expenditure of that money naturally they develop information, methods of tillage, breeding of seeds, or things of that sort that are of interest to our people, and it is the expectation that when-

ever anything is developed of special interest so as perhaps to make it important to be known by any other country it will be reported to that country through that institute.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOWARD. I ask that the gentleman's time be extended in order to answer a question.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HOWARD. Is it not true that the United States Department of Agriculture has been making extensive experiments in the matter of the production of what is called "macaroni" wheat?

Mr. SCOTT. Macaroni wheat was introduced into the United States through the Department of Agriculture several years ago, but the department is no longer conducting experiments in connection with it for the reason that the industry seems to be thoroughly established, inasmuch as we produced last year about 50,000,000 bushels of macaroni wheat.

Mr. HOWARD. Is it not a fact that information with respect to the production and adaptation of macaroni wheat to certain sections of our country was aided by this very institution at Rome?

Mr. SCOTT. I have no doubt that has been the fact.

Mr. MANN. What makes the gentleman believe it?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. GAINES of Tennessee. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman from Tennessee rise?

Mr. GAINES of Tennessee. I want to get some information about this matter over in Rome or somewhere, and I move to strike out the last word. Mr. Chairman, I have listened some little while to get the information that I still would like to get. What good is this institution doing the people of the United States? Where is the return for the investment that we are making? My friend from Georgia has clearly elucidated the matter to the extent of saying that a treaty—which is a law and no higher dignity than a statute—has been made that calls for the making of an appropriation to carry it on.

Mr. COUSINS. I would ask that the Clerk read from the provisions of the treaty.

Mr. GAINES of Tennessee. Will the gentleman state what it is? If not, then I ask unanimous consent that it be read, but not in my time.

The Clerk read as follows:

#### ARTICLE 9.

The Institute, confining its operations within an international sphere, shall—

(a) Collect, study, and publish as promptly as possible statistical, technical, or economic information concerning farming, both vegetable and animal products, the commerce in agricultural products, and the prices prevailing in the various markets;

(b) Communicate to parties interested, also as promptly as possible, all the information just referred to;

(c) Indicate the wages paid for farm work;

(d) Make known the new diseases of vegetables which may appear in any part of the world, showing the territories infected, the progress of the disease, and, if possible, the remedies which are effective in combating them;

(e) Study questions concerning agricultural cooperation, insurance, and credit in all their aspects; collect and publish information which might be useful in the various countries in the organization of works connected with agricultural cooperation, insurance, and credit;

(f) Submit to the approval of the governments, if there is occasion for it, measures for the protection of the common interests of farmers and for the improvement of their condition, after having utilized all the necessary sources of information, such as the wishes expressed by international or other agricultural congresses or congresses of sciences applied to agriculture, agricultural societies, academies, learned bodies, etc.

All questions concerning the economic interests, the legislation, and the administration of a particular nation shall be excluded from the consideration of the institute.

Mr. GAINES of Tennessee. Mr. Chairman, we have heard article 9 read, and I now have a copy in my hand. I should like to know from the committee reporting the bill, if any of this work that this institution has referred to it has been done?

I am trying to get at the result of it; I am trying to find out what we are getting for our money. I understand that we started out on a large scale to collect everything on the other side of the world, and compile all that is fit to be gathered and compiled, and send it over here for our information. Now, what has been gathered, and what has been published?

Mr. COUSINS. If the gentleman will go to the Department of Agriculture he will find everything—

Mr. GAINES of Tennessee. Has the gentleman been there?

Mr. COUSINS. I have probably distributed a good many thousand copies of the bulletins that copy from these reports.

Mr. GAINES of Tennessee. Will the gentleman tell me one thing new that has been sent here that the gentleman has distributed?

Mr. COUSINS. Oh, I have not learned them by heart, but I suppose I have distributed a good many thousands of them that contain copies from the articles that have been sent to our Department of Agriculture.

Mr. GAINES of Tennessee. Mr. Chairman, I have distributed everything that that great friend of the farmer, Secretary Wilson, has had to pass through his department that has gone to my credit, and I think I have an intelligent constituency, as much so as any other man in the United States, and I have never heard of a scientist, I have never heard of the real farmer, I have never heard of a stump speaker, I have never heard of a preacher, I have never heard of a country doctor, I have never heard of a banker, I have never heard of a presiding elder in my whole district who ever got any information from Rome about how to farm.

Mr. COUSINS. In view of the action of the gentleman's constituency at the last election, I can not quite agree with him in his statement as to the intelligence of his constituency.

Mr. GAINES of Tennessee. I stood up in front of my enemy and I did not turn tail and run in that campaign, like the gentleman did. [Laughter and applause.]

I stayed at my post, and because I did I was assassinated by the tobacco trust, the powder trust, and the other people that I have fought like a man, when the gentleman was absent from his post. I make no apologies for my defeat. I am proud of having such enemies; they may be your friends.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GAINES of Tennessee. Now, Mr. Chairman, I move to strike out the paragraph for the purpose of getting this matter before the committee; and one way to get rid of it is to strike out the appropriation.

The CHAIRMAN. The time of the gentleman from Tennessee has expired. The first amendment offered by the gentleman was to strike out the last word of the paragraph. He now offers an amendment to strike out the paragraph. By unanimous consent this second amendment will be entertained by the Chair.

Mr. FASSETT. I object.

Mr. GAINES of Tennessee. Who objected, the gentleman from New York?

Mr. WILLIAMS. A parliamentary inquiry. Is the motion of the gentleman from Tennessee still before the House?

The CHAIRMAN. The motion of the gentleman to strike out the last word is still before the House.

Mr. WILLIAMS. Is the motion to strike out the paragraph before the House?

The CHAIRMAN. It is not.

Mr. WILLIAMS. I desired to be heard if it were.

Mr. HARRISON. Mr. Chairman, I desire to be heard on the pro forma amendment for a few moments. The debate we have just heard about the agricultural institution at Rome is very illuminating to all the Members of the House. It illustrates very clearly some of the difficulties under which the Committee on Foreign Affairs is laboring in attempting to prepare its annual appropriation bill. The Department of State seems to feel that the Committee on Foreign Affairs and the membership of this House are not to be trusted too far in investigating our international relations. The time was when the House of Representatives constituted practically the Committee on Foreign Affairs and the Congress managed the foreign affairs of our country.

For one, I wish that those days were here now. The present Department of State has not given us sufficient information to enable us to explain fully upon the floor of the House all of the items in this bill in which Members are interested. We called before the committee the Assistant Secretary of State, now serving as Secretary of State, and particularly requested that he should inform us specifically, item by item, the purpose of each one of these appropriations for international bureaus; the purpose for which money had been already expended, and the bases of authority under which we are now asked to appropriate money. But the Secretary did not give us information as to all of these items. There are some 16 or 17 which were originally recommended by the Department of State. As to two of these, by independent investigation the committee discovered that there was no convention or no treaty authorizing the appropriation, and no law requiring the appropriation, and as to these two items the appropriations went out on a point of order in the committee; but as to the remaining 14 or 15 international bureaus and institutions of one sort and another, we had printed the testimony of the Secretary of State. The gentleman from Georgia [Mr. HOWARD] has just read to the House the testimony of the Secretary of State covering this International Institute of Agriculture at Rome. It does not explain, and from



the context we can not explain exactly for what purpose this appropriation was used last year in Rome. All we can tell you is what the Secretary told us in the Committee on Foreign Affairs, and I am sorry to say the information is not as full as we should have hoped it to be. I, as a member of the committee, even though only a minority member, could wish that the Department of State would not hold us at arm's length, but would show more confidence in the membership of the committee and the membership of this House. Now, I for one am opposed to the establishment of all these international bureaus, but the House of Representatives is not responsible. It is done by treaty, ratified by the Senate in all these cases, and we are called upon under the terms of those treaties to appropriate the money to carry out all these conventions. Therefore, as a member of this committee, I feel that I am obliged to vote in committee and on the floor of the House for the item which the bill carries. But I regret, as a member of the committee, that we can not furnish the House with more complete information, and I have just informed the House why we are unable to do so.

Mr. DENBY. Mr. Chairman, I wish, in replying to the gentleman from New York, to say that although in my work with him on the committee I have noticed and admired the zeal with which he does seek to secure information and the skill and ability with which he conducts himself on the floor, I must say that I can not agree with him in his references to the Department of State.

I can not feel that the Committee on Foreign Affairs deal at arm's length, or in any other way, except sympathetically, with the Department of State; and certainly since I have been a Member of this body I have never seen a tendency on the part of the Department of State to decline to furnish any information at any time that has been asked for by the Committee on Foreign Affairs or by any member thereof. If we have not informed ourselves concerning these items, it is our own fault, and I am very glad for one to take my share of the blame. I can not feel it right to pass it on to Mr. Elihu Root, the Secretary of State, or the other members of the Department of State. I have never addressed a request to the department that has not been at once honored with as full information as they could give, and I am quite confident that such has been the experience of every member of the committee, I hope not excepting the gentleman from New York [Mr. HARRISON].

I think it only right that this statement should be made as coming from one member of the Committee on Foreign Affairs at least; and in saying this I feel confident that I voice the sentiments—I was going to say of all the other members of the committee, and I think I may indeed say all but a very few of the other members of the committee. And in saying that also I would like to add that I know of no committee that has more harmony between the two sides of the House, the two parties, than the Committee on Foreign Affairs, where the Democratic and Republican members work together in absolute sympathy, as they should, peculiarly in relation to the matters over which this committee has jurisdiction.

Mr. PERKINS. I agree with my friend from Michigan [Mr. DENBY] and must somewhat disagree with my friend from New York [Mr. HARRISON] in reference to the information obtained from the Department of State. I think the gentleman from New York is right perhaps in his suggestion that there may be some ancient items in this bill, in reference to provisions of treaties made long ago, which might profitably be investigated; but if there has been any lack of investigation, I think it has been rather the lack of the committee in asking information than any refusal to furnish information.

The gentleman referred to the provision in reference to this convention or agricultural college in Rome, by whatever name it is properly called, which item has brought about this debate. Now, there was no full information in reference to that furnished by the Secretary of State, but certainly there can be no charge made of any unwillingness on the part of the department to furnish all it knows. This appropriation is of such a peculiar character, its utility is so uncertain, as is shown by the debate we have had here to-day, that if the Department of State could not furnish full information as to its usefulness, it is quite apparent that the entire House of Representatives is at some trouble to ascertain satisfactorily whether or not there is any utility to be found in it. That the department was unable to furnish us information which nobody is able to furnish us certainly is no cause of surprise, and certainly is no cause of criticism.

Mr. HARRISON. My colleague was present at the committee meeting in which we pointed out to the Assistant Secretary of State the fact that there were a great many of these international bureaus and institutions for which we were asked to ap-

propriate, and at which we asked the Assistant Secretary of State to give us as full a statement as possible for each one of these appropriations.

Now, the gentleman heard the gentleman from Georgia [Mr. HOWARD] read on the floor here a few moments ago the statement of the Assistant Secretary of State as to the necessity of this appropriation, but it did not satisfy the House, and I, for one, am free to say it did not satisfy me.

Mr. PERKINS. In reference to that, I can say, Mr. Chairman, that I think some of these items run so far into the past, have become so rusty from the course of years, that I doubt if in the State Department or anywhere else any satisfactory information can be found; but that is not the fault of the State Department, it seems to me.

Mr. HARRISON. The gentleman's criticism certainly does not apply to this item, because this is only about two years old.

Mr. PERKINS. No; this, though new, is still obscure.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered as withdrawn.

The Clerk read, as follows:

To enable the Secretary of State to mark the boundary and make the surveys incidental thereto, between the Territory of Alaska and the Dominion of Canada, in conformity with the award of the Alaskan Boundary Tribunal and existing treaties, including employment at the seat of government of such surveyors, computers, and draftsmen as are necessary to reduce field notes, \$100,000, to be immediately available, together with the unexpended balance of the previous appropriation for this object.

Mr. MACON. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman in charge of the bill a question. I notice in this paragraph that you appropriate \$100,000 to enable the Secretary of State to mark the boundaries and make the surveys incidental thereto between the Territory of Alaska and the Dominion of Canada.

Mr. COUSINS. For the next fiscal year.

Mr. MACON. And you appropriate \$75,000 for the present fiscal year. Was this \$75,000 used?

Mr. COUSINS. Most of it. They are providing this year for a more extensive survey and demarcation than for several years. It must be remembered that this work can be carried on only about six months in the year. They have made very extensive preparations with reference to the proposed work for the coming year.

Mr. MACON. How many years has this provision been carried in the bill?

Mr. COUSINS. About six years.

Mr. MACON. What is the amount appropriated heretofore?

Mr. COUSINS. Four hundred and fifteen thousand dollars, all told.

Mr. MACON. About how long does the gentleman think it will take to establish this boundary line?

Mr. COUSINS. The estimate is from eight to nine years.

Mr. MACON. Pretty expensive proposition, is it not?

Mr. COUSINS. Yes; because it is very difficult work.

Mr. MACON. Mr. Chairman, I withdraw the pro forma amendment.

Mr. HAMLIN. Will the gentleman from Iowa permit a question? I understood in another part of the consideration of this bill that in all these items any unexpended balance reverted automatically to the Treasury.

Mr. COUSINS. Except in continuing appropriations, such as for international surveys.

Mr. HAMLIN. That is the point I want to raise. I see at the end of the fiscal year 1908 there was an available balance of this fund of \$106,797.39, and then you appropriate \$75,000 more.

Mr. COUSINS. No; since that report, the most of that \$106,000 has been spent.

Mr. HAMLIN. The gentleman did not catch my question. Since the available balance, you appropriate \$75,000 more, which would make about \$181,000, and now you propose to appropriate a hundred thousand dollars more.

Mr. COUSINS. I say that the available balance has been nearly all spent. They are already getting the parties together, horses and all manner of equipment, on the Pacific coast, ready to start as early as they can.

Mr. HAMLIN. When did they spend this \$100,000?

Mr. COUSINS. Since the preparation of the report which the gentleman holds in his hand, and principally, I think, during the last three months.

The Clerk read as follows:

The judicial authority and jurisdiction in civil and criminal cases now vested in and reserved to the consul-general of the United States at Shanghai, China, by the act of June 30, 1906, entitled "An act creating a United States court for China and prescribing the jurisdiction thereof," shall, subsequent to June 30, 1909, be vested in and exercised by a vice-consul-general of the United States to be designated from time to time by the Secretary of State, and the consul-general at Shanghai shall thereafter be relieved of his judicial functions.

Mr. MACON. Mr. Chairman, I make a point of order against the provision just read. I want some information concerning this change. I understand that the consul-general insists that the work is too heavy for him.

Mr. COUSINS. Yes; his time is needed for the transaction of business that belongs to the office. This merely gives authority to the vice-consul-general to try these cases.

Mr. MACON. Without any additional compensation?

Mr. COUSINS. Yes.

Mr. DENBY. The Secretary of State is authorized to designate the person who shall discharge the duties that are now discharged by the consul-general. I have a statement here showing the vast amount of minor judicial work which has been heretofore and is now imposed on the consul-general, and which interferes with the discharge of the more important functions of his office. I do not think it necessary to read the report of the number of cases. I assure the gentleman that it is absolutely essential that he be relieved of this work.

Mr. MACON. If there is to be no extra expense, no extra office created, I can not see why the responsibility for this class of work should not be shifted from the consul-general to the deputy.

Mr. DENBY. There is no extra expense.

Mr. MACON. I withdraw the point of order.

The Clerk read as follows:

#### INTERNATIONAL OFFICE OF PUBLIC HEALTH.

For the payment of the quota of the United States for the year 1909 toward the support of the international office of public health, created by the international arrangement signed at Rome December 9, 1907, in pursuance of article 181 of the international sanitary convention signed at Paris on December 3, 1903, \$3,000.

Mr. WILLIAMS. Mr. Chairman, I would like to ask the gentleman from Iowa whether he remembers the provisions of the treaty upon which this appropriation is based? Is that an indefinite and permanent provision? Has that to go on forever, or does the treaty itself fix any period of expiration?

Mr. COUSINS. I have the treaty here. It is quite lengthy.

Mr. WILLIAMS. Does the gentleman remember that particular point, as to whether it is indefinite?

Mr. COUSINS. It is indefinite.

Mr. WILLIAMS. It does not expire by its own limitation?

Mr. COUSINS. No; it does not.

Mr. WILLIAMS. Does not the gentleman think it would be well to suggest to the State Department to give notice of its termination? Of course I believe that as long as we have a treaty and we have undertaken to pay our share, the only decent way of seeking to pay our share is to put an end to the treaty. Does not the gentleman think it would be well to give notice in this case? This has been going on now since 1881, has it not?

Mr. COUSINS. No; this is new, 1903, and this is the first appropriation.

Mr. WILLIAMS. Oh, this is the first appropriation?

Mr. COUSINS. Yes.

The Clerk read as follows:

#### PURCHASE OF PROPERTY FOR LEGATION PURPOSES AT TOKYO, JAPAN.

Purchase of residence erected by Mr. R. S. Miller, Japanese secretary to the embassy at Tokyo, at his own expense, on ground held by the United States in perpetual lease for legation purposes in Tokyo, \$3,267.

Mr. MACON. Mr. Chairman, I reserve the point of order against that provision.

Mr. COUSINS. Mr. Chairman, I will simply offer in explanation of this the statement of Mr. Secretary Root, and then I will yield to the gentleman from Michigan [Mr. DENBY], who has further data upon the subject. The Secretary had this to say:

For the purchase of the residence erected by R. S. Miller, Japanese secretary to the embassy at Tokyo, at his own expense, on ground held by the United States in perpetual lease for legation purposes in Tokyo, the appropriation of the very moderate sum of \$3,267 is requested. This would add to the embassy property at Tokyo a good modern house as a permanent residence for the Japanese secretary adjacent to the houses of the ambassador and of the secretary of embassy, which have long been owned by the Government. The house could not be duplicated to-day at the sum named.

This recommendation was first made by me on January 23, 1906, and was repeated last year. My conviction that this is an entirely just and proper request constrains me again to ask its favorable consideration. The particulars with reference to this item may be found in House Document No. 432, Fifty-ninth Congress, first session.

In considering the question as affecting the present Japanese secretary, it is only fair to recall that when he entered upon his present duties some twelve years ago, among the buildings comprising the present embassy premises there was a dwelling for the Japanese secretary, which, however, was later on condemned and torn down; and also that the present building was erected on government property with the permission of the then minister and mainly by reason of his desire, for reasons of official business, to have the Japanese secretary live conveniently near.

I had a conversation with the consul-general at Yokohama recently, in which he said that he had seen this building and that

it could not be reproduced now for less than \$4,000. These are the facts in the case, and probably it is a very good investment. We now own nine of our buildings abroad, and this will make ten.

Mr. MACON. Mr. Chairman, if this matter stood alone, perhaps it might be a fairly good investment for the Government at this particular time. I am not going to question the gentleman's statement as to its probable cost if it were to be constructed now; but I do not think there is any warrant of law for carrying this appropriation upon this appropriation bill; that it is unauthorized by existing law, and if it were permitted to remain in the bill, when a point of order might be made against it, we would have each year some new amendments providing for the construction of this or that building here or there, a magnificent structure in London, one at Paris, one perhaps in the City of Mexico, one at Berlin, and so on, and there is no telling where it would stop. I do not believe in establishing such a precedent, and for that reason I must insist upon the point of order, believing that it is my duty to do so.

Mr. DENBY. Will the gentleman withhold his point of order for a few moments until I can offer further explanation?

Mr. MACON. Yes.

Mr. DENBY. The gentleman's objection seems to be that this might establish a bad precedent, and that upon other legation property in other countries similar houses might be erected, and then Congress would be called upon to purchase them. As a matter of fact, that is not possible. We own only three legation sites in all the world. In fact, we do not own this site.

Mr. MACON. No; this is under a lease.

Mr. DENBY. Yes; but it is practically owned by the United States Government. The circumstances surrounding the construction of this house were very peculiar. Mr. Miller was the Japanese secretary of the legation as it then was and lived in a residence which, as the chairman has stated, became uninhabitable. Just before the outbreak of the Russo-Japanese war it became peculiarly necessary that Mr. Miller should be close to the ambassador and ready with his advice and his skill in the interpretation of languages at all hours of the day and night. There was no room in the house of the minister or ambassador at that time.

There was no house convenient near at hand, and so Mr. Miller asked the minister if he might be authorized to put up the house at his own expense on the legation grounds, which were very extensive. The minister recommended to the Secretary of State that he be given that authority, and the Secretary of State gave that authority to him to erect a house at his own expense. I would say that Mr. Miller, while one of the most valuable men in the foreign service of the United States, and practically the backbone of the embassy at Tokyo, is a very poor man. He had to borrow the money with which to erect this house. He borrowed it at a high rate of interest, and is now paying a high rate of interest on the loan. The house cost him 6,535 yen. We are not asking the Government to reimburse him for interest or any incidental expenses or any appreciation in the value of the house, but merely the exact cost of the house to him in the year 1903. And it seems to me that equity and simple justice, I will say to the gentleman from Georgia, if he will look at the matter from that standpoint—

Mr. MACON. If the gentleman locates me as being from Georgia he can not hope to get me to see this matter his way at all—

Mr. DENBY. I beg the gentleman's pardon.

Mr. MACON (continuing). For I am very proud of Arkansas and do not care to lose my identity with it.

Mr. DENBY. It is a great honor to come from either State, and I feel it is not at all necessary to apologize for the mistake. I think if the gentleman from Arkansas will consider and take into consideration all the peculiar facts concerning this case, the small salary, the poverty of this man, his great service to the Government, and the fact we are getting a splendid investment, and the further fact that a precedent can not be established, and the precedent can not be a bad one, because there is no other quarter of the world except Peking, Tokyo, and Seoul where we own premises or come so near owning them as we do at Tokyo; and, therefore, I do not think there is any danger in Europe where this thing can be repeated. If the gentleman will consider, it is merely a question of justice between the United States and this man.

The United States owes him a residence. We give our Chinese secretary in Peking a residence, and there is no reason why we should not give this man a residence and no reason why we should compel him to pay the cost of the residence himself practically on American territory.

Mr. MACON. Why are not all the secretaries furnished with residences, if we owe them to them?



Mr. DENBY. It is not always necessary for the secretaries to be in the same compound and so close to the ambassador as in Tokyo. It is absolutely essential that he should live on the embassy's premises, and particularly as the case was then, with a great war brewing, which immediately broke out in 1904. He had to come there; there was no place for him to go. There was no appropriation for a house and they permitted him to build, under the circumstances that arose in that case. We did not make him any promises that we would reimburse him—that is, any official promises—but he was told, and has been told consistently, that every effort would be made to get back the cost of the residence.

I can not see that there is anything to it except—I quite appreciate the validity of the gentleman's objection on general principles as to creating a precedent if the circumstances were not so unique as they are in this case, and therefore the precedent to which he objects, and soundly objects, can really have no effect in this case. I hope the gentleman will try to look at it from the point of view that this country practically really owned this land. We are too big to make him pay out of his funds in fact for the right of serving the Government.

Mr. MACON. Mr. Chairman, I would like to oblige the gentleman from Michigan, as I would each and every other Member of this House whenever they ask me to oblige them in any way; but I have a duty to perform, and I can not see that duty through the eyes of each and every Representative here. I must view it through my own.

I do not think it wise for the Government to purchase houses that have been erected upon grounds leased by the Government, not owned by any of its officers, and in that way establish a precedent of allowing its officials abroad, when they think they need a home, or really know they need one, to erect a building without lawful authority and then expect the Government of the United States to take it off of their hands. I do not believe it would be a good precedent, and I will not lend my voice or vote to it, and hence I insist upon the point of order.

Mr. DENBY. Mr. Chairman, if the gentleman will permit, I desire to offer one remark from the present first secretary of the embassy at Tokyo, and I will say, in this connection, I have never seen Mr. Miller, and there is nothing personal to me in this nor—

Mr. MACON. I am sure of that; the gentleman sees it that way; that is all.

Mr. DENBY. The first secretary states that Mr. Miller was persuaded, with the consent of the department, to build at his own expense a small residence in the legation grounds. I can not see how any more equitable case could ever be presented for reimbursement than this case.

Mr. MACON. Then I do not think it wise for the department to encourage one of its employees to do a thing that is directly in the teeth of the law, and I will not give my sanction to it.

Mr. DENBY. It is the only case of the kind that has ever arisen, and it is the only case of the kind that can ever arise.

Mr. MACON. It will not be long, if this is allowed, before we will probably have another.

Mr. DENBY. This can be the only one; there is no more property on which a house can be erected.

Mr. MACON. In my opinion, this will be construed to be a precedent for the construction of other buildings in a similar way, and I insist upon the point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from Arkansas insists upon the point of order to the whole paragraph. The point, as the Chair understands it, is that there is no warrant of law existing upon which this appropriation can be based.

Mr. MACON. Authorizing this purchase.

The CHAIRMAN. Does the gentleman from Iowa desire to be heard on the point of order?

Mr. COUSINS. Of course it is admitted that it is subject to the point of order. I would like to appeal to the gentleman's benevolent consideration. [Laughter.] It seems to me so justifiable that I hope he will withdraw his point of order.

Mr. MACON. I must insist. I have given my reasons.

The CHAIRMAN. The gentleman from Arkansas insists upon his point of order, and the Chair sustains the point of order.

Mr. LONGWORTH. Mr. Chairman, I desire to offer the following amendment.

The Clerk read as follows:

After line 16, on page 22, insert a new paragraph: "That the Secretary of State be, and he is hereby, authorized to acquire in foreign countries such sites and buildings as may be appropriated for by Congress for the use of the diplomatic and consular establishments of the United States, and to alter, repair, and furnish the said buildings, suitable buildings for this purpose to be either purchased or erected as to the Secretary of State may seem best, and all buildings so acquired for the diplomatic service shall be used both as the residences of diplomatic officers and for the offices of the diplomatic establishment:

*Provided, however,* That not more than \$1,000,000 shall be expended in any fiscal year under the authorization herein made: *And provided further,* That in submitting estimates of appropriation to the Secretary of the Treasury for transmission to the House of Representatives, the Secretary of State shall set forth a limit of cost for the acquisition of sites and buildings and for the construction, alterations, repairs, and furnishing of buildings at each place in which the expenditure is proposed, which limit of cost shall not thereafter be exceeded in any case, except by new and express authorization of Congress."

Mr. MACON. Mr. Chairman, I reserve the point of order against the amendment.

Mr. WILLIAMS. I make the point of order.

Mr. MACON. Then, I make the point of order.

Mr. WILLIAMS. I make the point of order.

The CHAIRMAN. Does the gentleman from Ohio desire to be heard upon the point of order?

Mr. LONGWORTH. Oh, no; it is plainly subject to the point of order, but I hoped the gentleman might reserve it so that I might have the privilege of making a remark or two upon the subject.

Mr. MACON. I was proposing to reserve it.

Mr. LONGWORTH. I understand the gentleman from Mississippi makes the point of order?

Mr. WILLIAMS. Mr. Chairman, there is nothing that I could do in the way of courtesy for the gentleman from Ohio that I would not like to do. Propositions of this kind ought to come up in an independent measure and be permitted to be considered and disposed of on their own merits, and therefore I did not reserve the point of order, but make the point of order.

Mr. HITCHCOCK. I would like to suggest to the gentleman from Mississippi, if he will permit me, that we are substantially in a helpless position here in the matter of bringing up new legislation, and I think when legislation of this sort is proposed which has some merit, as many think, a few minutes' opportunity for discussion might be well be allowed.

Mr. WILLIAMS. Which is a very good argument—

Mr. MANN. The gentleman forgets that we have considered this very proposition.

Mr. WILLIAMS. The gentleman from Nebraska has made a very good argument for a change of the rules, but so long as the rules continue as they are now I shall object to permit an independent proposition like this to come up, because I think it ought to come up on its own merits at the proper time.

The CHAIRMAN. The Chair understands the gentleman to insist upon the point of order.

Mr. WILLIAMS. I insist upon the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

#### SCHEDULE B.

#### SALARIES, CONSULAR SERVICE.

For salaries of consuls-general and consuls, as provided in the act approved May 11, 1908, entitled "An act to amend an act entitled 'An act to provide for the reorganization of the consular service of the United States,' approved April 5, 1906," as follows: Consuls-general, \$303,000; consuls, \$733,000; in all, \$1,036,000.

Mr. COUSINS. Mr. Chairman, owing to the action of the House a few weeks ago, when the consulate at Messina was destroyed by earthquake, removing that consulate to Catania, at a salary of \$3,000, it becomes necessary to amend this paragraph, and I offer the following amendment to accomplish the legislation already enacted by the House:

Page 23, line 2, strike out the word "three" and insert the word "four;" and in the same line strike out the word "six" and insert "seven."

Mr. MACON. Do I understand this amendment is offered to page 2?

The CHAIRMAN. To page 23, line 2.

Mr. MACON. I reserve the point of order.

Mr. COUSINS. This, of course, is not subject to a point of order, because the House has already legislated in regard to it.

Mr. MACON. Then I will say that there is no point of order reserved or contemplated.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. HULL of Tennessee. I offer the following amendment.

The Clerk read as follows:

Amend by inserting in line 3, page 23, after the word "dollars," the following: "Provided, That the consuls-general and consuls shall ascertain the law and practice and experience of foreign countries in which they are stationed dealing with an income tax; inquire into the present mode of assessing and collecting this tax, the rates imposed and revenue received from this source; ascertain the effect of this tax upon trade and business, whether it causes money to be locked up or to disappear or the wealthy class to emigrate with their wealth to other countries not imposing such tax; and also investigate and ascertain whether these laws are avoided and evaded; and if so, by what means and to what extent, and report the results of their investigations to the Secretary of State for the information of Congress."

Mr. COUSINS. Mr. Chairman, I make the point of order that this is new legislation.

Mr. HULL of Tennessee. I hope the gentleman will reserve the point of order.

The CHAIRMAN. The gentleman makes the point of order. Does the gentleman desire to be heard upon the point of order?

Mr. HULL of Tennessee. Mr. Chairman, I desire to say in reference to the point of order just made that it seems to me that this amendment is pertinent and relevant. The amendment does not undertake to make new law or new legislation, nor does it undertake to change existing law. The amendment clearly directs our consuls and consuls-general to perform certain portions of the general duties already imposed upon them by the law creating the positions they occupy. So I respectfully insist that this is a directory order proposed to be inserted in this appropriation bill, asking our consuls and consuls-general to furnish the Secretary of State, for the information of Congress, facts that every Member here agrees is interesting and pertinent, and they should perform this as a part of the general duty already imposed and resting upon our representatives abroad.

Mr. HITCHCOCK. Mr. Chairman, I should like to supplement what the gentleman has said by calling attention to the fact that this House has on several occasions passed resolutions calling upon the Secretary of State to obtain from our consular agents specific information on the operation, enforcement, and results of the income tax in foreign countries. I remember that such a resolution was adopted by this House at the time the Wilson tariff act was being considered, and that information when secured was incorporated in the records of the House of Representatives. It seems to me, therefore, plain that the information which is called for by this resolution is only an elaboration of the duties already performed by consular agents from time to time. In fact, that is exactly what the consular agents are for. They are to secure in foreign countries and send to the Department of State, or possibly under the present law to the Department of Commerce and Labor, information which may be of interest to the people and to the Congress of the United States, and this information, Mr. Chairman, will be of peculiar interest at this time, because the extra session of Congress which is soon to convene will be called upon to enact a revenue bill—a tariff law—into which there may be incorporated and into which there certainly ought to be incorporated an income tax to provide additional revenue and to relieve the people of the United States of some of those taxes which go to increase the cost of living, and which do not fall upon the wealth of the country. It seems to me, therefore, that this resolution offered by the gentleman is not only in accordance with the former practice of this House, but it is in the development of the very duties of the consular agents.

Mr. MANN. Mr. Chairman, I think the amendment is clearly subject to the point of order. If it be true that under a resolution of the House the Secretary of State is authorized to obtain this information, then it is a discretion now lodged in the Secretary of State, with which this amendment proposed to interfere. Doubtless the Secretary of State has authority at present to direct the consuls to report upon any proposition abroad or upon any question which relates to our interests here, obtaining information from abroad. But this is legislation proposing to interfere with that discretion, and its purpose is to legislate upon an appropriation bill.

Mr. COUSINS. Mr. Chairman, it ought to be said in this connection, I think, that there is not a line of legislation on the statute books specifying the duties of foreign representatives. Under the Constitution, the President of the United States shall appoint our representatives abroad, and Congress could not in any way modify that right of the Executive, and therefore it is plainly subject, as I insist, to the point of order.

The CHAIRMAN. It seems very clear to the Chair that the amendment proposes to impose new duties upon the consuls, not now imposed by statute, and therefore is subject to the point of order, and the point of order is sustained.

Mr. HITCHCOCK. I have called the attention of the Chair to the fact that those consular agents have already, from time to time, reported as to the operation of the income-tax law abroad, just as they have reported, and continually report, on the operation of the postal savings banks abroad, and other functions of government in which the people of the United States have a peculiar interest.

Mr. COUSINS. Will the gentleman yield for a moment?

Mr. HITCHCOCK. Yes.

Mr. COUSINS. I dare say if the gentleman would address a letter to any consul, or to any consular agent, such consul or consular agent would advise him in reply of the conditions that he seeks information about.

Mr. HITCHCOCK. I do not doubt that fact, and I do not doubt the fact that these consular agents are making these periodical reports to the Department of State. But if I introduced a resolution to-day calling upon the Secretary of State, as I ought to have the right to do, for such information as he may have concerning the operation of the income tax in foreign countries, I might get a more or less complete report from the Secretary of State for use here upon the floor. But, Mr. Chairman, if we are to have such information complete and useful, it ought to be proper for Congress to suggest to the Secretary of State, as is proposed in this resolution.

The CHAIRMAN. That is an argument that might properly be addressed to the gentleman who made the point of order; but the point of order having been made, under the conditions the Chair is obliged to sustain it.

The Clerk proceeded with and completed the reading of the bill.

Mr. COUSINS. Mr. Chairman, I move that the committee do now rise and report the bill, with the amendments, to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly, the committee rose; and the Speaker having resumed the chair, Mr. DIEKEMA, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 27523) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1910, and having made sundry amendments thereto, recommended that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the vote will be taken upon the amendments in gross.

There was no demand for a separate vote.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. COUSINS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### MILITARY ACADEMY BILL.

Mr. HULL of Iowa. Mr. Speaker, I move the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 28059) making appropriations for the Military Academy for the fiscal year ending June 30, 1910.

Mr. SULZER. Mr. Speaker, pending that motion I would like to make some inquiry about time for general debate.

Mr. HULL of Iowa. I ask unanimous consent that all general debate be closed in ten minutes.

Mr. SULZER. Mr. Speaker, I understood this bill was coming up next week, and I promised considerable time. The bill has been brought up to-day unexpectedly, and I would like to have at least thirty minutes on this side.

Mr. HULL of Iowa. I have withdrawn all yielding of time on this side because of the impossibility of getting the appropriation bill through the Senate. We gave seven hours' general debate on the bill making appropriations for the army, and there are other bills coming up next week, and it is absolutely necessary to close this bill up to-day or it may not get through in ten days.

Mr. SULZER. Will the gentleman make it twenty minutes?

Mr. HULL of Iowa. I can not do that. I will not object to giving the gentleman the whole ten minutes on that side and take none of it myself.

Mr. SULZER. I accept that, with the understanding that if anybody, under the five-minute rule, wants an extension of time the gentleman from Iowa will not object.

Mr. HULL of Iowa. That is according to how much time he wants.

Mr. SULZER. Well, say ten minutes.

Mr. HULL of Iowa. I would not object to any man that has anything to say having ten minutes.

#### PENSION APPROPRIATION BILL.

Mr. KEIFER. Mr. Speaker, pending the motion of the gentleman from Iowa, I ask unanimous consent to take from the Speaker's table the bill (H. R. 26203) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1910, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Ohio asks unanimous consent to take from the Speaker's table the pension appropriation bill with Senate amendments and that the House disagree to the Senate amendments and ask for a conference. Is there objection?

There was no objection.



The SPEAKER appointed as conferees on the part of the House Mr. KEIFER, Mr. GARDNER of Michigan, and Mr. BOWERS.

#### MILITARY ACADEMY APPROPRIATION BILL.

The motion of Mr. HULL of Iowa to go into the Committee of the Whole was then agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. STERLING in the chair.

Mr. HULL of Iowa. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. HULL of Iowa. I now yield ten minutes of the general debate to the gentleman from New York [Mr. SULZER].

Mr. SULZER. I yield ten minutes to my friend from Nebraska [Mr. HITCHCOCK].

Mr. HITCHCOCK. Mr. Chairman, I desire to make a few remarks on the subject of an income tax. During the present fiscal year we are incurring in the operation of the Government a deficit, which, at the end of the year, will probably amount to about \$125,000,000. One of the problems before the Committee on Ways and Means at the special session of Congress soon to assemble will be to provide additional revenues for the Government. It has been proposed that a part of this additional revenue shall be raised by lowering the customs duties so as to bring into the country additional imports and increase the income of the Government in that way. This change will tend to place the tariff upon a revenue basis, with incidental protection when circumstances make it necessary in order to maintain competition between foreign and domestic products.

With this programme I am decidedly in accord. It has been also proposed, however, to increase internal-revenue taxes upon certain articles of common consumption and to lay duties not now in existence on certain articles of importation, such as coffee. To this proposal I am decidedly opposed. It involves an increase of the present evil. It involves the idea of increasing the living expenses of the American people. It involves a tax on the breakfast table of every family in the land.

Mr. Chairman, there is a method which the Committee on Ways and Means can resort to. There is a method of taxation which it can appeal to, which involves no increase in the cost of living to the American people, no restraint on any industry. It is a method which has gone through more than a century of trial in European countries—a method which has been used in Great Britain since 1798 off and on, and which has been used in Great Britain constantly since 1842. It is a method which has been used and is now in use in Prussia, in Austria, and, I think, also in Italy and Switzerland.

It is the income tax, a tax which at the present time is raising for the use of the British Government \$162,000,000 a year on a 5 per cent basis, a tax which was tried in the United States from 1863 to 1874, and which during that time raised a total of \$346,908,000, a tax which has stood the test of the Supreme Court on many occasions. A subsequent income tax was only declared invalid by a doubtful and divided court by a decision in the Pollock case. Mr. Chairman, the income tax is not, as most of our present national taxes are, a tax on consumption. It is not a tax which increases the cost of living to the people of the country, as most of our national taxation does, and it is a tax which, with peculiar propriety, calls upon the people in proportion to the benefits which they derive from the protection of the Government, and which falls upon them also in proportion to their ability to pay. I have no doubt that if we levied a tax of only 2 per cent on the incomes exceeding \$1,000, this Government can secure a revenue greater than the Government of Great Britain derives from its tax of 5 per cent. It would more than make up the deficit. It would give us all the additional revenue that we require. This revenue which can be raised in this way will not fall upon the people in proportion to what they consume, as is now the case with practically all of our national revenues, but it will fall upon them, as I have stated, in proportion to the benefits which they derive from the Government, and also in proportion to their ability to pay.

Mr. Chairman, it is one of the crying disgraces of this country that wealth does not share its proper portion of the burdens of government. It escapes in all great cities, it escapes in state taxes to a large extent, and when we come to the national revenues, it escapes completely. These millions which we raise every year, these eight or nine hundred millions of dollars in taxes which we levy upon the people of the United States, fall as a burden upon individuals and not as a burden upon wealth.

They are levied almost in a per capita method of taxation, so that this great Government, bringing prosperity to the people of the United States in great disproportion, is not supported by the people of the United States in proportion to the benefits which they derive, but is supported by them practically as it would be supported if we levied a per capita tax.

Mr. Chairman, I am in favor of an income tax, and I am in favor of an income tax levied upon a sliding scale, so that the smaller incomes shall not be taxed as heavily as the larger incomes are taxed. This was the revenue income tax which was enacted in 1862 and which was amended several times later, once in 1865, once in 1867, and again in 1870. The first law passed provided a tax of 3 per cent on incomes up to \$10,000, but exempted those below \$600. It provided a tax of 5 per cent on incomes over \$10,000; and in my opinion, Mr. Chairman, the Committee on Ways and Means, which is even now engaged in the work of framing a new revenue bill, should not omit the duty of devising such an income tax as will stand the test of law and at the same time lay a proper share of the burdens of government upon the wealth of the United States, upon the incomes of the people of the United States in proportion to their incomes, with a lighter tax upon the low incomes and a heavier tax upon the larger incomes. [Applause on the Democratic side.]

[Mr. GOLDFOGLE addressed the committee. See Appendix.]

The CHAIRMAN. The Clerk will read the bill under the five-minute rule, the time for general debate having been exhausted. The Clerk read as follows:

For pay of one commandant of cadets (lieutenant-colonel), in addition to pay as captain, \$1,100.

Mr. HULL of Iowa. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

On page 2, line 12, strike out the words "captain, one thousand one" and insert the words "major, five," so that the line will read: "In addition to pay as major, \$500."

Mr. MANN. Mr. Chairman, I reserve the point of order on that amendment.

Mr. HULL of Iowa. I want to say in explanation that since the bill was framed there has been a redetail to this position of commandant of cadets, and in place of a captain being there there will now be a major, so it makes this bill carry the additional pay provided by law. It makes the pay \$500 in place of \$1,100.

Mr. NORRIS. Is he the same man?

Mr. HULL of Iowa. No; it is not the same one.

Mr. MANN. Mr. Chairman, as very much of the time of ten minutes given for general debate on this bill was exploited in the consideration of an income tax, may I ask the gentleman in regard to the bill itself? Would there be any impropriety in that?

Mr. HULL of Iowa. I should imagine not.

Mr. MANN. Is there any practical change in this bill?

Mr. HULL of Iowa. There is a change in regard to one clerk, where we increase the salary, as I remember now, \$300, a clerk who has been there for a long time. In the last part of the bill there is a provision in regard to Constitution Island which we will strike out, because it is now agreed to by both Houses. I say to the gentleman there is a little difference in regard to the professor of English. The department and the academy wanted to make him a professor of the academy. Under the law that would make him a colonel, making him a lieutenant-colonel first and afterwards a colonel, and—

Mr. MANN. And be on the retired list eventually.

Mr. HULL of Iowa. Yes. Heretofore we carried this professor of English among the army officers detailed to West Point, and now, in order to make it sure that there will be a civilian officer, we put that professorship or instructor under the civilian employees of the institution and provide that he must be taken from civil life. Now, we increase that salary \$500.

Mr. MANN. How many civilian professors are there at West Point?

Mr. HULL of Iowa. This is the only one, except—

Mr. PARKER. There are civilian professors for Spanish and French.

Mr. HULL of Iowa. Yes; there are civilian professors for Spanish and French.

Mr. MANN. The other professors are army officers?

Mr. HULL of Iowa. The others are all army officers. All the instructors of the higher grades are army officers.

Mr. MANN. In that respect different from Annapolis.

Mr. HULL of Iowa. They have always been different from Annapolis.

Mr. MANN. And the Annapolis professors are now seeking to get on the retired list, so as to get on an equal plane with the professors of West Point.

Mr. HULL of Iowa. Yes. I do not believe in it, and I will say, when we gave it to them last year, although we did not give it to them in the language they wanted, we did last year give the right to employ a professor of English outside of the academy, but we carry him as a civilian.

Mr. MANN. But there is nothing in this bill at any place which would authorize the placing of a civilian professor on the retired list.

Mr. HULL of Iowa. On the contrary, we have guarded against it in the most careful manner and carry him in a different part of the bill from that in which we have heretofore carried this position. The instructors are nearly all army officers, and we now carry this place under the head of civilians and not in any part connected with the army, and we declined absolutely to give him the title of professor. We give him the full pay, however, of a professor.

Mr. OLCOTT. Will the gentleman yield for a question?

Mr. HULL of Iowa. Certainly; but the gentleman from Illinois has the floor.

Mr. MANN. I will yield to the gentleman. I did not know who the gentleman addressed.

Mr. OLCOTT. As a matter of fact, the civilian professors at West Point now are retired on three-quarters pay.

Mr. HULL of Iowa. I did not know that; it is news to me.

Mr. OLCOTT. There are no civilian professors, but they are taken from civil life and given the rank—

Mr. HULL of Iowa. Not at all; not one of them is given the rank except the master of the sword, and we gave him by special act the rank of a first lieutenant.

Mr. MANN. I was trying to conduct this school for the benefit of the gentleman from New York, who has a bill seeking to put the professors at Annapolis eventually on the retired list.

Mr. OLCOTT. I am only trying to get the civilian professors at Annapolis in exactly the same category as those at West Point. I am very glad, indeed, to have this school, and it is certainly a fact—

Mr. HULL of Iowa. The professors and instructors at West Point are all army officers, except as above stated, and in the army before detailed to West Point; and I will say to my friend from New York, in trying to secure the reappointment of officers now on the retired list of the navy to professorships of Annapolis, the Secretary of the Navy told me he was very strongly in favor of making the professors of Annapolis naval officers, believing it would be better than to take them from civil life.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HITCHCOCK. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The question is on the amendment offered by the gentleman from Iowa.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For pay of one constructing quartermaster in addition to pay as major, \$1,000: *Provided*, That this increased salary shall only apply during the time this office is held by the present incumbent.

Mr. MACON. Mr. Chairman, I reserve the point of order upon that provision.

Mr. HULL of Iowa. I think it is only a limitation; but I will say to my friend from Arkansas that on account of the very superior ability of the man now in charge of this department, on account of the great work that is carried on by him, he is given an additional compensation of \$500 more than he would otherwise receive. Now, while the bill carries this additional compensation, we believe that he has saved the amount many times over by his great ability. If, at the expiration of the present fiscal year, he goes out, and a new quartermaster shall be detailed, the committee believe that he ought not to have this additional compensation "on account of his superior ability," because he will have had no experience. We are spending \$7,000,000 there, and if the gentleman will examine into the work under the control of Major Carson, the quartermaster in charge, he will find that he has saved, from what we know such work would have cost when done at other places, hundreds of thousands of dollars.

Mr. MACON. You propose to increase his salary \$500?

Mr. HULL of Iowa. We propose that the next officer shall not have this increase if the officer now in charge is detailed and must go to another place.

Mr. MACON. I withdraw the point of order.

The Clerk read as follows:

In all, for extra pay of officers of army on detached service at the Military Academy, \$29,900.

Mr. HULL of Iowa. Mr. Chairman, we have reduced the compensation of the commandant of cadets \$600, and so as to make the provision conform to the action we have already taken, I move to strike out, on line 8, the word "nine" and insert the word "three."

The Clerk read as follows:

Page 4, line 8, strike out "nine" and insert "three," so as to read "\$300."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For extra pay of two enlisted men employed as clerks in the office of the adjutant, United States Military Academy, at 50 cents each per day, \$365.

Mr. MACON. Mr. Chairman, I reserve the point of order on that paragraph.

Mr. HULL of Iowa. That is simply carrying out what the law provides. We have a great many men at West Point who are enlisted to do this character of work, and it saves the employment of a large number of civilian employees at much higher wages.

Mr. MACON. Does the existing law allow the additional pay of 50 cents a day in the paragraph reading "For pay of two enlisted men employed as clerks in the office of the adjutant, United States Military Academy, at 50 cents each per day, \$365?"

Mr. HULL of Iowa. That is simply carried in the law. The law provides that men doing this class and character of work shall have 50 cents a day each. It is in the statutes. I will say, why we see so many of them here is for the reason that it is a permanent enlistment of men to do this class of work. It is a saving to the Government. At the same time, it gives a class of men encouragement to continue all the time as clerks, whereas the clerks that they would have to employ might be young men who would be offered really higher wages if employed as clerks than these men when they are in the employ of the Government.

Mr. NORRIS. I notice so often this item: "Clothing on discharge." Why is that repeated, and what is it for?

Mr. HULL of Iowa. I will say that that comes in here under the different heads of the service. For instance, the law authorizes certain men in each branch of the service at West Point, and their pay as "cavalry detached." Now, it is clothing on discharge from cavalry detached. In other places it is for other detachments.

Mr. NORRIS. What does it mean?

Mr. HULL of Iowa. It means that the law authorizes certain allowance for clothing to soldiers. If they do not use the amount allowed, the Government pays them on discharge the difference between what they are allowed and what was used. That is what it means.

Mr. MACON. After the gentleman's explanation, Mr. Chairman, I withdraw the point of order.

The Clerk read as follows:

For extra pay of two enlisted men employed as clerks in the office of the commandant of cadets, at 50 cents each per day, \$365.

Mr. TIRRELL. Mr. Chairman, I move to strike out the last word. I desire to call attention to the condition, as it appears in the press and from private investigation, of affairs at West Point, inasmuch that there seems to be a steadily decreasing interest throughout the country in young men seeking an education there. It is not many years ago that West Point of all other institutions was sought for by the young men of the country for educational and patriotic purposes. Now, I think—at least it is so in New England, and I assume that section of the country represents the whole—it is sometimes exceedingly difficult to find anybody who will take examinations for that institution. I have not, indeed, been able to get more than half a dozen by advertising in every paper in my district for young men who are ready to compete in a competitive examination for that position.

The question arises, On account of this decreased interest, inasmuch as we are spending some \$3,000,000 a year there and inasmuch as many of the boys who have entered there do not remain, what is the cause of this and what should be the remedy? I have obtained from one of the boys in the senior class, not appointed by me at West Point, the record of his own class in this respect. He has been there some three and a half years. His class entered 168 in number. They now number only 103. In three years they have diminished one-third of the entire number. Take the lower classes; and, with the exception of the freshman class, he says the average is about 83. That is, they are only educating at this enormous expense about 400 cadets, when the number should be some 550. Not only that, but there is a considerable disposition among the cadets at West Point to resign, as you see many of them have resigned, by the great diminution in the numbers of the senior class. I think one reason of this condition of affairs is a false idea



as to the qualifications a cadet should possess. Inasmuch as the best scientists and mathematicians have been selected as instructors in that institution, the idea seems to have obtained an ineradicable foothold there that no boy should be admitted to that institution who is incapable of solving the abstract problems of the calculus or an intricate problem of logarithms. Important as is a mathematical and scientific education, it is not the whole thing in the makeup of a man.

Mr. HULL of Iowa. Does not the gentleman know that the larger proportion of the great high schools of the country now prepare boys so that they are admitted to West Point? The high school in my town and the high school of my county town have prepared boys who have never gone to any other school on earth, and they have been admitted to West Point on the prescribed examination.

Mr. TIRRELL. I know nothing about that; but in our section they not only have competitive examinations, but the boys have to pass through an exceedingly severe entrance examination, in which many have been turned down because they have not, in mathematics, been up to the standard demanded by the institution.

Mr. MADDEN. Does not the gentleman know that the rules for admission to West Point provide that any boy having the physical qualifications, with a certificate of graduation from a high school, is entitled to admission to the academy without any further mental examination?

Several MEMBERS. Oh, no.

Mr. NORRIS. The gentleman is mistaken about that.

Mr. TIRRELL. The truth of the matter is, Mr. Chairman, that important as mathematics is it does not constitute all the education, by any means, that a graduate from West Point should possess. He should, above all things, be so cultivated in polite literature, languages, and collateral studies that his imaginative faculties may also be alert; because without the imaginative faculties, without the possibility of picturing the conditions of a field of battle and providing for emergencies—a quality not stimulated by a mathematical and scientific education—a man becomes largely incompetent to fill the positions to which he may be assigned.

Now, Mr. Chairman, I am not criticising the institution or its methods of study. I am simply directing the attention of the House to the fact that I believe, in that particular line, they are carrying their requirements too far, and that they are excluding a large number of boys who would make brilliant records in the military history of the country who do not possess the extremely developed mathematical faculty which seems to be demanded by the examiners of this institution.

In the remainder of my time, in order that the condition of affairs at West Point may be fully understood, I ask that this clipping from a newspaper be read at the Clerk's desk.

Mr. YOUNG. Before that is done, do I understand that the gentleman wishes to lower the standard for admission to West Point?

Mr. TIRRELL. Not at all, but I claim that by the extreme mathematical test required many boys who would average up high in that institution and be amply qualified to fill all the requirements of military service are shut out.

[The time of Mr. TIRRELL having expired, by unanimous consent it was extended ten minutes.]

Mr. TIRRELL. In other words, it strikes me, from the experience I have had in the last four Congresses, that the question of mathematical ability is carried to such an extent that many young men are unable to get in. And yet we have had boys recommended by the principals of the best high schools in my State and boys of that class as boys of exceptional ability and, in their judgment, amply qualified.

Mr. YOUNG. Will the gentleman yield?

Mr. TIRRELL. Certainly.

Mr. YOUNG. Has the gentleman ever examined the list of questions asked in mathematics in these examinations?

Mr. TIRRELL. I have.

Mr. YOUNG. Are they not such as any bright, educated boy could answer—65 per cent of them?

Mr. TIRRELL. No, sir; I have studied the examination papers, and I would be willing, notwithstanding my friend from Michigan is a brilliant scholar, to venture the assertion that he could not pass the examination.

Mr. YOUNG. Perhaps I could have done better forty years ago. [Laughter.]

Mr. ESCH. Will the gentleman yield?

Mr. TIRRELL. Yes.

Mr. ESCH. Some four years ago the graduates of the high schools could be certified and get certificates which would enable them to enter the academy without having an examination. Can the gentleman inform the House why that practice is no longer pursued?

Mr. TIRRELL. I can not.

Mr. ESCH. Was it due to the fact that the students admitted on those certificates were not sufficiently high in mathematics?

Mr. TIRRELL. Very likely. Now, Mr. Chairman, I will ask the Clerk to read the article I have sent to the desk.

The Clerk read as follows:

TOO FEW CADETS AT WEST POINT—CLASSES NOT FILLED AND AUTHORITIES ASK FOR MORE—CONGRESSMEN BLAMED FOR NOT NAMING ALTERNATES AND SO CAUSING VACANCIES WHEN APPOINTEES FAIL.

WASHINGTON, January 26.

Because of their inability to get full classes at the Military Academy the West Point authorities are asking Congress to pass a new law providing for more entries each year.

At the present time the cadet corps is more than 20 per cent below its maximum strength. The situation has grown so serious that it is attracting attention of the War Department.

The appeal to Congress is intended to stimulate interest in the needs of the service by giving more opportunity for appointment to the Military Academy.

The authorities ask that in addition to the present number of cadets authorized a law be enacted permitting the appointment of two additional men from each of the various States.

The maximum strength of the corps, were all the vacancies filled, is 530; but at latest accounts there were only 409 cadets in the academy, a shortage of 121.

This dearth of material for new officers is particularly deplored, because so many demands are made on the regular establishment for officers to act as instructors at military schools and colleges, and also to act with militia organizations.

With these officers on detached duty, there are not enough experienced men to take charge of the troops and maintain the army in the high degree of efficiency that is absolutely imperative because of its low numerical strength.

In the recommendations for appropriations from Congress the West Point officials offer the suggestion for more appointments and would have the law provide as follows:

"Hereafter the corps of cadets shall, as nearly as practicable, be maintained at its maximum authorized strength, and for this purpose a sufficient number of extra appointments are authorized not to exceed two from each State, extra appointments to be distributed in an equitable manner among the congressional districts of the States and Territories, the District of Columbia, and Porto Rico, according to a roster to be kept by the Secretary of War."

Just before he retired as superintendent of the academy, Col. Hugh L. Scott submitted a report on the examinations of last spring. He said at that time that, with two entrance examinations just completed, the number of vacancies should be at the minimum; but, as a matter of fact, there were actually more than 100 places unfilled.

These were attributed to a number of causes, as shown in these figures:

Failure to report for examinations (principals, 20, and alternates, 91)	111
Failed to complete examinations	14
Mentally and physically disqualified	61
Qualified mentally, physically rejected	10
Qualified physically, mentally disqualified	131
Qualified alternates, no vacancy	7
Qualified physically, withdrew from mental examinations	1
Qualified principal, appointment revoked	1
Qualified and directed to report for admission	124
Total	460

"It is probable that no plan will keep the corps entirely filled," said Colonel Scott in submitting these figures, "except legislation to authorize a sufficient number of extra appointments to offset the normal shortage."

Much of the blame for the conditions at West Point is laid at the doors of Members of Congress. Each Member has the appointment of one cadet and two alternates.

"But we can not get Congressmen to name the alternates," said a member of the General Staff. "They seem to think that the naming of alternates in some way detracts from the rights, and opportunities of the principal. The result is that when the principal fails to 'make good,' there is no one to step into his place, and the Congressman who has followed this policy can not name another candidate until the following year."

The logical result of this shortsightedness is found in the number of vacancies that exist at the academy. The army can not fill these vacancies as is done at Annapolis. So, accordingly, the Military Academy grinds on with mighty little grist on which to work.

"As a matter of fact, the Military Academy has never in its history had full classes. The present situation, however, is causing concern because of the imperative need for more officers."

Mr. PARKER. Mr. Chairman, I had intended, on the item of "pay of cadets," to have taken up the subject of the number of cadets in the Military Academy. It is an important subject. There are only 403 cadets now in the Military Academy. There is room for 672 in the barracks, and with such a plant as we have at West Point and considering the need of officers of high ability, for the engineers, the ordnance, and the artillery, we should have more cadets.

The gentleman from Massachusetts is mistaken in thinking that we do not need mathematical ability in men who are to do engineering—

Mr. TIRRELL. I hope the gentleman will not misrepresent me.

Mr. PARKER (continuing). Men who are to do engineering, men who are to build ordnance, and men who are to take care of the problems of gunnery. It is one of the sad things in our army now that we have not cadets enough to fill all these branches, and that many officers, even in the coast artillery, have had to be taken, with more or less success, from civil life. In the infantry and cavalry it may be a different thing. It may

be well to give college graduates, as they do in Germany, an opportunity to go into the army and then stand examination for promotion. It is not well to have ill-educated officers.

Mr. WILLIAMS. Will the gentleman yield?

Mr. PARKER. Certainly.

Mr. WILLIAMS. Is it not true that nobody can be a great general or strategist unless he has instinctively to a high degree the mathematical sense?

Mr. PARKER. I agree. Now, with reference to the entrance examinations, they do not require logarithms and the calculus. The gentleman from Massachusetts is mistaken. It is an examination, so far as mathematics are concerned, only in ordinary arithmetic and in algebra up to the simpler quadratic equations. It asks only what any boy ought to be able to get in any high school. If the high schools—well, Mr. Chairman, I will not say anything about our public schools and other schools, but there is too much of a disposition in these days to wish to graduate pupils with honor, and to pass them if they have done fairly in a certain number of recitations from day to day for a number of years, without proper reviews or being at all sure at the end whether they remember what they have learned or not. I have seen men, graduates from high schools, who could not spell well or write a decent letter, because they were not examined when they entered the high school to find out what they had really learned in the grammar schools.

In West Point they have the best system of instruction that I have ever known anywhere. Every class is divided into many divisions—first, second, third, fourth, fifth, sixth, seventh—and with a small number of scholars in each division, under practical military officers as instructors. The cadets are promoted from one division to another or put down from one division to another, according as they do. The first division goes over much more ground than the last. But whatever is learned at all must be learned thoroughly. As a result, there is real work done at that academy, and if a man does not keep up he is dropped. A class that begins at 168 may graduate only 103, because it is the survival of the fittest, and the most manly fight is fought in that work at West Point that ever was done in any army. It brings us men who are ready to work, ready to do their duty, and fit for their places.

Mr. TIRRELL. Will the gentleman yield? Does the gentleman think it advisable to have a system of study which cuts down students one-half during the course?

Mr. PARKER. I do. The best school I ever went to was at Andover, Mass., where one-fifth to one-third of every class were dropped yearly, and that is why Andover scholars have always stood well in the community. The West Point system gives us officers for the high grades, who proved themselves in the civil war. If we could graduate more than enough for the army and, as we used to do, too, send to civil life West Point graduates, instead of putting them all into the army, we would have a better reserve for a time of war than could be made in any other way. Think of Jackson, think of McClellan, think of Grant, think of the many officers that came from civil life on either side of that great struggle, who were graduates of West Point. Think of those who carried the war with Mexico to a triumphant conclusion. West Point graduates are the real reserve for this country.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HULL of Iowa. I ask unanimous consent that the gentleman may proceed for one minute.

There was no objection.

Mr. PARKER. Now, it is proposed, and was proposed in the committee, that in order to use that plant at West Point worthily, and to make it the great school that it should be, Congressmen and Senators and the President should send cadets there once in three years instead of once in four years, just as at the Naval Academy they increased appointments from once in six years to once in four years, and later to once in two years. Such a provision would increase the number without diminishing the standard. I am sorry to say that we ascertained in the committee that objection would be made on the floor of the House, and we did not put that provision in the bill. Before this bill was opened I wanted to lay this matter before the House, because I believe it imperative to the success of that institution that there should be more appointments and more graduations, and even with that increase a large number of officers will have to be appointed from the enlisted men or from civil life.

Mr. SULZER. Mr. Chairman, just a few words on the subject under discussion. In reply to the gentleman from Massachusetts [Mr. TIRRELL], I want to say that, in my judgment, the trouble about which he complains is not so much the severity of the examinations at West Point as it is the neglect of Members of Congress to keep the vacancies in their districts filled. I understand that there are to-day over a hundred vacancies at

West Point which have not been filled by Members of Congress. I take a deep interest in the welfare of the Military Academy at West Point. We all know that there is no better military school in the world. The standard of admission should be high. America is proud of West Point as a military institution; we are proud of its record in the past; and I am now and always have been in favor of maintaining there the highest standard. It ought to be done. Instead of lowering the standard, we should keep it up, at least, to what it is to-day. We know that a young man physically qualified and who has graduated from a high school will have no difficulty in passing the preliminary examination and getting in; and after he gets in he will have no trouble in staying in if he works and studies. The great trouble with some of the cadets at West Point is that they fail to keep up with their studies and pass the examinations. It is their own fault. If a young man admitted to West Point will study and work and keep up with his class, there will be no trouble about passing his examinations and graduating with honor. If he will do the work required, he will never be set back, never dismissed, never asked to resign because he has failed to meet the requirements of the institution.

In my judgment the gentleman from Massachusetts is laboring under a misapprehension regarding this matter, and I wish to say that I agree with the gentleman from New Jersey [Mr. PARKER] that one of the best changes Congress can make at the present time is to have cadets appointed by Members of Congress every three years instead of every four years, as at present. That would keep up the maximum quota of the classes. To-day the principal reason it is not done is due largely to the fact that there are so many vacancies from various congressional districts. These vacancies should be promptly filled.

I believe if we would amend the law so that every three years a Member of Congress could appoint a cadet to West Point from his district that there would be no further trouble in keeping the classes up to the maximum. I want to say that so far as my own district is concerned I never have any trouble. There are always young men in my district asking to be sent to West Point, and most of them are well qualified, physically and mentally. I have no doubt that is true in regard to most of the other districts of the country. The trouble is that some Members of Congress appoint young men in whom they take a personal interest, or as a matter of favor, and many of these young men are not qualified. They have not studied long enough, and they do not take the trouble to go to preparatory schools. That is the trouble. And that trouble can be easily obviated; but at the same time I want to say again that I concur most heartily with the suggestion made by my colleague from New Jersey [Mr. PARKER] that the law be amended so that Members of Congress have the right to appoint cadets to West Point every three years instead of every four years. [Applause.]

The Clerk read as follows:

For extra pay of four enlisted men as printers, at headquarters United States Military Academy, at 50 cents each per day, \$626.

Mr. SLAYDEN. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I dislike very much to delay the consideration of this bill for the purpose of discussing a feature of the administration of the academy that is not immediately and acutely in issue, and I do want to submit a few observations, and I desire to print something in the Record in addition to what I am going to say, and I now ask unanimous consent that I may be permitted to print in the Record certain documents.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to print certain documents in the Record. Is there objection? [After a pause.] The Chair hears none.

Mr. SLAYDEN. Mr. Chairman, the complaint of the gentleman from Massachusetts [Mr. TIRRELL] strikes me as very remarkable. So far from there being a lack of interest in my section of the country in regard to appointments to the Military Academy, I—and I am sure it is the experience of my colleagues—are overrun by applications whenever a vacancy occurs, and the young men in my district seem to know in advance of its occurring, so I begin to get letters from applicants—

Mr. SULZER. That is my case also.

Mr. SLAYDEN. I want to say also, Mr. Chairman, I have never had any difficulty which the gentleman suggests with reference to the graduation of the young men whom I have sent there. All of them have graduated, and most of them, I am pleased to say, have graduated with distinction, too, at both the Military Academy and the Naval Academy. I believe there is something wrong with the Military Academy, seriously wrong, that requires attention and requires it now, and I regret to say I believe the chief source of the trouble lies within this Hall and the other Chamber of Congress. The discipline of the academy, the control of the young men who are there as cadets, has been interfered with, has been impaired in a way that threatens, according to the language of the academic board, the



very existence and usefulness of the academy itself if it is not stopped.

Now, we all know that for years when young men by infraction of the rules have gotten themselves into trouble and have incurred the penalties thereof and have been dismissed, they immediately footed it to Washington, where, exercising "pull," they have persuaded Congress or the President to set aside the findings of the academic board, the one competent body in all the world best qualified to pass upon the question at issue. Within the last year and a half there have been a number of dismissals from the Military Academy—at least, recommendations by the academic board for dismissal. Unless that board reverses itself, unless it withdraws its recommendations for dismissals and suggests leniency in lieu of the penalties that the law imposes, they must be dismissed. The report sent to the House recently, known as "Document No. 1455," gives in detail a history of these cases at the academy since January 1, 1908, where some young men were dismissed for deficiency in study and some for hazing, and it also shows unfailingly and without exception that immediately after conviction they and their friends asked that Congress and the Executive should have the laws of the Government set aside and to have these young men who had been guilty of breaches of discipline replaced in the academy.

In a letter dated West Point, January 4, 1909, of Lieut. Col. Robert L. Howze, commandant of the cadets, the situation is set forth in clear and strong language, and I commend the reading of it to every Member of this House who wants to see the academy maintained at a high state of efficiency.

HEADQUARTERS UNITED STATES CORPS OF CADETS,  
West Point, N. Y., January 4, 1909.

Respectfully returned to the adjutant, United States Military Academy, recommending that this application be disapproved.

Whenever at any time this cadet had more demerits than an average of 18 per month he was duly notified. He had free access to the books which exhibit the number of demerits cadets have, provided he was not serving special punishment. In that case it would have been a simple matter for him to have prevailed upon a classmate to get the information; further, he could have gotten the information by applying directly to this office.

The facts are that at the end of October he did not have a monthly average of 18 demerits, but during November, the last month of the six-month period, he committed offenses which resulted in his receiving some 41 demerits. It is evident that during this last month he deliberately and purposely disregarded the regulations in every way that he possibly could, going so far as to commit an intentional breach of confinement, for which he was awarded two months' special confinement and 10 demerits. This cadet has been not only indifferent to the observance of the regulations, but he has shown a thorough disregard of them, increasing in these respects as he has advanced in his cadetship.

The total number of demerits recorded against this cadet was 123. His case was carefully considered by a board of officers, which called upon him and weighed every claim and statement he had to make concerning the demerits recorded against him, and after giving him the benefit of all doubt recommended that 8 demerits be removed, which recommendation was approved. All but one member of the board voted upon the merits of this cadet's case without knowing the number of demerits involved. The board acted conscientiously, guarding well the cadet's interests, and at the same time the interests of the academy; if it erred at all it was distinctly on the side of leniency toward the cadet. The limit of demerits which a cadet may get during the six months is 108. This limit is sufficiently large for any cadet who desires and tries at all to keep within it—in fact, there was a distinct liberality shown in fixing this high limit.

The regulations concerning discipline have with but few modifications been enforced since the beginning of the academy; without the proper enforcements of these regulations the ends intended would not be accomplished; it would not be a fit place for the training of young men in the observance of discipline and the military regulations, and the good men of the country would not want their sons trained here. The aim of the institution would miss its mark. Fortunately, from the beginning and up to the present time when a cadet has without any doubt so violated the rules and regulations as to have received a number of demerits in excess of the authorized allowance he has invariably been discharged, and, I think, never reinstated or even turned back to another class.

The strict enforcement of these regulations is the main sustaining principle upon which the good name and reputation of the academy depend, and there should under no circumstances be any divergence therefrom. The fact that this is a military academy should not be lost sight of, and it is my fixed opinion that a young man, while in the atmosphere which surrounds him here, who so disregards the requirements of discipline and is declared deficient therein can rarely, if ever, make an efficient and capable officer, fitted for the serious responsibilities which will be imposed upon him. There are other and better young men ready to take his place, and certainly they should be given a chance to do so.

Should cadets who have been declared deficient in conduct be returned the effects on discipline would be seriously felt, and the respect which cadets should and at present do have for the authorities here would be very much lowered. Under no circumstances should cadets so discharged be reinstated.

ROBERT L. HOWZE,  
Lieutenant-Colonel, U. S. Army, Commandant of Cadets.

Observe that Colonel Howze says that "from the beginning" when a cadet has been clearly guilty and the academic board advised dismissal, he has been invariably discharged; that is, mark you, up to the present time.

The President saw fit on the 4th of January to write to the Secretary of War that in his judgment the penalties imposed upon these young men were unnecessarily severe, and he hoped

the academic board would be reconvened in order to reconsider its action so far as it relates to these young men:

THE WHITE HOUSE,  
Washington, January 4, 1909.

There are five young men who have been recommended for dismissal by the academic board at West Point for what seems to me insufficient reasons. They are Cadets \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_.

Can not the academic board be reconvened to consider again its action, so far as relates to these men? It seems to me that the needs of the service can be met by some arrangement less than discharge. I think it would be an entirely needless hardship to turn these boys out. If necessary, let them each go back one year.

THEODORE ROOSEVELT.

THE WAR DEPARTMENT.

Of course, a suggestion or intimation of what the Executive desires always has the effect of a command among military officers. The board was immediately convened again, and upon January 9 they submitted this letter:

HEADQUARTERS UNITED STATES MILITARY ACADEMY,  
West Point, N. Y., January 9, 1909.

The academic board of the United States Military Academy, having before it the autograph letter of the President of the United States of January 4, 1909, concerning the cases of Cadets \_\_\_\_\_ and \_\_\_\_\_, of the first class, \_\_\_\_\_ and \_\_\_\_\_, of the third class, deficient in discipline, and Cadet \_\_\_\_\_, of the third class, deficient in mathematics and drawing, desires to submit for his consideration the following presentation of the principles which have guided it in these and similar cases, and of the particular circumstances attending each of the cases under advisement.

In a great military school of the importance and high standing of this institution, the board conceives that one of its chief functions is the disciplinary training it confers and its efficiency as a character-forming mechanism. These attributes, which above all others go to the development of an efficient officer whose duties concern the command, the guidance, the well-being, and even the lives of those under him, and upon whom the country relies in time of emergency for the exhibition of the highest qualities of mind and character, are essentially matters of discipline, of self-control, of a sense of responsibility, and of conformity to law and authority.

These qualities are acquired only by habit and under an impartial enforcement of the regulations and orders which govern their daily duties. This disciplinary influence is progressive and cumulative and should, before the student is intrusted with command, have been assimilated and should have been productive of results sufficient to justify the authorities in certifying that he has qualified for the responsibility of command as an officer of the United States Army. Failure to show this acquirement on the part of the individual becomes increasingly reprehensible and indicative of incapacity for responsibility in proportion to the length of the period of probation.

During the first year of cadet service every leniency is shown in the consideration of the disciplinary shortcomings of the novice, and he is given abundant opportunity to adjust himself to the conditions of military service and requirements. During the second year the responsibilities are increased, the novitiate has been passed, and the cadet is familiar with the obligations and regulations and the necessity of conforming thereto. From that time forward ignorance of the requirements of his environment are no longer to be pleaded in extenuation. Whatever breaches of discipline are committed are done with a full knowledge of their character and the consequences involved. By the time the cadet has attained the dignity of a first class man (corresponding to that of senior in college) not only has he become experienced in the exactions of the military life, but he has attained maturity of mind and of body; he is about to assume command and its responsibility. Furthermore, in the administration of discipline by cadet officers, as a cadet advances in class rank he is reported with much less frequency for trifling violations of discipline.

When a first class man, therefore, receives so many reports as to endanger his status it indicates a very high degree of carelessness and indifference to regulations.

Prior to this year, since 1884, but one first class man has been deficient in conduct.

In this connection, the board observes the fact that these cadets are no longer boys, but have attained the age of manhood. The actual ages of the four individuals now deficient in discipline are as follows: Cadets \_\_\_\_\_ and \_\_\_\_\_, first class, are, respectively, 22 years 11 months and 23 years 5 months of age. Cadets \_\_\_\_\_ and \_\_\_\_\_, third class, are, respectively, 23 years 1 month and 22 years 5 months of age. Cadet \_\_\_\_\_ is not in the same category, but is deficient in two studies, and his case will be referred to subsequently.

It has been urged in reference to the deficiency of these cadets in conduct that they have exceeded the limit by only a few demerits. In the first place, the limit of demerits fixed by the regulations of the Secretary of War is exceedingly liberal, and no cadet at any time, with reasonable attention to his duties, need come anywhere near the danger limit. The limit is made thus liberal for the purpose of affording no excuse to those who exceed it. The same plea could be urged in extenuation of a slight excess of any limit whatever, no matter how liberal it might be. To show that this plea is not valid in these cases, the board wishes to state the fact that the average number of demerits of the other cadets in the first class was 32, Cadets \_\_\_\_\_ and \_\_\_\_\_ having received, respectively, 118 and 123. Their final showing of 109 and 115, respectively, was due to the fact that a special board of officers was appointed to consider their deficiencies; to examine the nature of each report given; to afford the individuals opportunity to protest or explain in any case as to the justice or validity of the report; and to remove whatever reports in its judgment could be overlooked by a lenient construction of the circumstances under which they were given. This board cited the cadets before it, listened to any special explanation they had to give, and finally removed a certain number of reports in each case without knowledge of the number of demerits attaching to each report. This resulted in leaving Cadet \_\_\_\_\_ still deficient, with 109 demerits, and Cadet \_\_\_\_\_ also deficient, with 115.

In the case of Cadets \_\_\_\_\_ and \_\_\_\_\_, of the third class, the same process was put into operation by the board, with the result of leaving these men deficient, with 111 and 109 demerits, respectively.

In the third class the average number of demerits for the other members of that class was 56. It will be observed, therefore, that in the case of the first class men Cadet \_\_\_\_\_ had over three times the average number of demerits of his classmates, and Cadet \_\_\_\_\_ nearly four times that number. Cadets \_\_\_\_\_ and \_\_\_\_\_ had about twice as many as the average of their classmates.

Offenses against discipline are divided into seven classes, for each of which a fixed number of demerits is given. Cadets are stimulated to observe the regulations by dividing them into three grades according to conduct, each grade being given certain privileges. In the first class the first grade requires that a cadet shall obtain less than 18 demerits in six months; the second grade less than 42; and the third grade includes those who exceed the latter limit. In the third class these limits are 24 and 54, respectively. As showing how readily excessive demerits may be avoided, it can be stated that about 75 per cent of each class is habitually in the two upper grades.

It has been the practice of the academic board, therefore, to regard a deficiency in conduct as final, and as one of the most satisfactory proofs that can be secured of the unfitness of an individual for the military career. Deficiency in conduct is a clear evidence, after a certain period of probation, of a want of a proper sense of responsibility and subordination, which in the cases of the two first class men under consideration led to flagrant and overt acts against discipline. They could not have been ignorant of the fact that they had received many reports and were in more or less danger of deficiency. As long ago as last August the superintendent took occasion to publish a special order to the corps of cadets warning all of the necessity of the exercise of extreme care in regard to their conduct. In spite of and in defiance of these facts these cadets deliberately committed an offense carrying the maximum number of demerits.

As stated above, the case of Cadet — is one of deficiency in studies and not in conduct. He stood at the bottom of the cadets, deficient in mathematics and drawing, after final examination for proficiency.

The academic board, with a long and intimate experience of the disciplinary methods of this institution, and the effects upon the cadets of unusual leniency, respectfully asks an earnest consideration of the very serious effect upon the morale of a body of young men who are being educated to high standards of conduct and of honor in seeing the disciplinary standards of the institution set aside in spite of the warnings of experience and the admonitions of their superior officers. If the young gentlemen of the corps feel that upon every occasion when they have brought upon themselves the penalties of failure, and when, after the administration of the institution has conscientiously sat in judgment upon their status, a reversal can be obtained by an appeal to higher authorities, the administrative authority of the institution is brought into contempt and the powerful influences which an impartial operation of the governing mechanism of military education should bring about is nullified.

The board finds a growing tendency on the part of all those who, from one cause or another, have failed to come up to the standards of this institution to endeavor to secure by a presentation of their case and an appeal to the sympathies of friends in authority a reversal of judgment in their favor. The board believes that it is of the highest importance, in order that the standards and traditions of this institution may be maintained, that the hands of the academic authorities should be upheld. The academic board, far from being austere or harsh in its action upon cases of deficiency, either in conduct or studies, endeavors on the contrary to be most lenient, and acts only after long deliberation and careful inquiry into all the conditions surrounding each individual case.

If, after a consideration of this statement, the President is still of the opinion that leniency should be exercised in these cases, the board, in deference to the judgment and wishes of the President of the United States, recommends with reluctance that Cadets — and — be suspended without pay and allowance until January 1, 1910, and at that time turned back to join the then first class; that Cadets — and — be suspended without pay and allowances until August 28, 1909, and at that time turned back to join the then third class; that Cadet — be turned back to join the present fourth class immediately.

H. L. SCOTT,  
Colonel, United States Army, Superintendent,  
President Academic Board.  
J. S. HERRON,  
Captain, Second Cavalry, Adjutant,  
Secretary Academic Board.

The judgment of the academic board was not swayed; they were still convinced that the law ought to be enforced. They say so in that letter, which I earnestly commend to the consideration of every Member of this House.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SLAYDEN. I ask for two minutes more.

The CHAIRMAN. The gentleman asks that his time be extended for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SLAYDEN. They earnestly state that the discipline of the academy, the existence of the academy, the usefulness of it, is seriously imperiled by the unwillingness of those in authority, those high up in authority, as they say, to permit the orderly, ordinary execution of the laws which we have passed, and the enforcement of the regulations made under those laws.

Mr. Chairman, I think that the academy is big enough. I believe that opportunities ought to be left to the cadets of high schools, to the graduates of colleges, and to the graduates from our national guard to get commissions in the army. I do not believe in making too small and select a circle from which the officers of the United States Army are to be drawn. I believe the experience of the country shows that in the past we have secured from civil life some of the most efficient military men ever known in history in this or any other country. I believe the academy is big enough; and if Members will exercise due diligence in sending to the academy young men who are fit morally, physically, and mentally, we will graduate as many officers from that academy as the Government will need plus those secured from civil life.

Mr. HULL of Iowa. Mr. Chairman, I submit that this debate is all out of order and has been proceeding by unanimous

consent; but I did not like to raise the point of order against members of the committee, and I will now ask the Clerk to read.

The Clerk read as follows:

For extra pay of one sergeant of engineers, acting first sergeant, \$108.

Mr. POLLARD. Mr. Chairman, I move to strike out the last word, for the purpose of asking the gentleman from Iowa a question in reference to these enlisted men to which this extra pay is granted. Are they from the Regular Army, or are they cadets detailed?

Mr. HULL of Iowa. They are from the Regular Army. The establishment at West Point is distinct from the Regular Army in this, that it is almost a permanent force there. They have more married men there. They take the older class of enlisted men, and a great many men are enlisted in order to get this extra pay. They provide quarters for married enlisted men at West Point, which is not done elsewhere. It is part of the Regular Army that are not ordered away, except in the cavalry and infantry.

Mr. POLLARD. Are they men who have been in the service a long period and transferred when they are incapacitated for other service?

Mr. HULL of Iowa. Not at all. They are entirely incapacitated for work. The theory of the Government is to discourage married enlisted men in the army at large; but where a good soldier is married he is transferred to West Point. That is, he can be transferred there.

Mr. POLLARD. I withdraw the pro forma amendment.

The Clerk read as follows:

In all, for pay of Military Academy band, field musicians, general army service, cavalry detachment, artillery detachment, enlisted men on detached service, and extra pay of enlisted men on special duty at the Military Academy, \$188,415.33.

Provided, That the extra pay provided by the preceding paragraphs shall not be paid to any enlisted man who receives extra-duty pay under existing laws or army regulations.

Mr. SULZER. Mr. Chairman, I rise to say a few words for the soldiers and the sailors of the Union, for the bravest men on land and sea that ever faced a foe, for those heroic men who saved the Republic from destruction during the darkest hour in all our history. They need no eulogy. The glorious Union is their everlasting monument. For ages yet to come their achievements will be sung in song and story.

Nearly fifty years have passed since the close of the great civil war—a conflict unparalleled in the annals of time. More than two-thirds of the soldiers and the sailors who participated in that tremendous struggle have been gathered to the fathers, and those that remain will soon cross the "great divide" to join their comrades on "fame's eternal camping ground." During the few years they will be with us on earth I believe it is the duty of the Government to care for those in poverty and distress and to see to it that none lack the necessities of life. The Government owes the volunteers for the Union a debt of gratitude it can never pay, and gratitude to these men should be the fairest flower that blossoms in the great heart of our reunited country. Our soldiers and our sailors should be generously treated by the Government they did so much to preserve. That is the least we can do for them in their declining years. Those that are incapacitated and dependent should be liberally pensioned, and their widows and orphans should be the wards of the Republic. As Lincoln said, the Nation should care for those who have borne the battle and for their widows and orphans, so that none shall be left in want and destitution.

I am now, always have been, and always will be the friend of the soldiers and the sailors of the Union. I am proud of the fact that I am called the "old soldiers' champion;" and I want to say again what I have frequently said on the floor of this House, that in Congress or out of Congress, the men who saved the Union can always depend on me to do all in my power to see to it that they get their just rights and the thanks of a grateful Republic.

For several years these brave old veterans have been trying to enact a law known as the "volunteer retired list bill." I have done all in my power to aid them in their struggle. This year after a hard fight I succeeded in reporting a bill favorably from the Committee on Military Affairs. My report is now before the Congress, and the bill is slumbering on the calendar of the House, and will sleep there, I am sorry to say, until this Congress adjourns on March 4. The fault is not mine. I would make the bill a law to-day if I could. For reasons unnecessary for me to express at this time that bill can not pass this Congress. However, I indulge the hope that some bill along similar lines will pass the next Congress and become a law. With that end in view I shall, just as soon as the extraordinary session of the Congress convenes, on the 15th day of next March, re-introduce the bill I have carefully prepared, and which I now send to the Clerk's desk and ask to have read.



The Clerk read as follows:

A bill (H. R. 28337) to create in the War and Navy Departments, respectively, a roll to be known as the "Volunteer officers' retired list," to authorize placing thereon with pay surviving officers who served in the Volunteer Army, Navy, or Marine Corps of the United States in the civil war, and who are not now on the retired list, and for other purposes.

*Be it enacted, etc.,* That upon written application to the Secretary of War, or to the Secretary of the Navy, and subject to the conditions and requirements hereinafter contained, the name of each surviving officer who served in the Volunteer Army, Navy, or Marine Corps of the United States in the civil war, shall be entered on a roll to be known as the "Volunteer officers' retired list." Each person so entered shall have served with credit as an officer in said Volunteer Army, Navy, or Marine Corps in the civil war, and shall have been honorably discharged, and shall not have been retired; said application to be accompanied with proof of identity of the applicant, and both the application and proof to be under oath.

SEC. 2. That each applicant whose name shall be entered upon said list shall be entered as of the highest mustered rank held by him while serving in said Volunteer Army, Navy, or Marine Corps, and when so entered on said list he shall be paid, out of any money in the Treasury not otherwise appropriated, as follows: From the time that he attains the age of 64 years, \$50 per month; from the time he attains the age of 70 years, \$75 per month; and from the time he attains the age of 76 years, \$100 per month during the remaining period of his natural life, such pay to begin on the date of filing his said application with the Secretary of War or the Secretary of the Navy: *Provided*, That this act shall not apply to any officer while serving as an official or employee of the United States or any state or municipal government or whose income from any source exceeds \$1,200 per annum.

SEC. 3. That each person who shall receive pay under this act shall thereby relinquish all his right and claim to pension from the United States after the date of filing said application, and any payment of such pension made to him covering a period subsequent to the filing of his said application shall be deducted from the amount due him on the first payment or payments under this act. The pay allowed by this act shall not be subject or liable to any attachment, levy, lien, or detention under any process whatever, and persons whose names are placed upon said roll shall not constitute any part of the United States Army, Navy, or Marine Corps.

SEC. 4. That this act shall take effect immediately.

Mr. SULZER. Mr. Chairman, that bill speaks for itself. It is just and honest and fair and square. No liberty-loving citizen should object to it. I believe it meets with the approval of the soldiers and sailors of the Union—of those that are left of the Grand Army of the Republic—and I shall do everything in my power to make it a law before the Sixty-first Congress shall adjourn on the 4th of March, 1911, and to this end I invoke the aid of every friend of the soldiers and sailors of our country.

Sir, every sentiment of my heart impels me to say that the surviving volunteer officers who served with credit during the civil war are entitled to receive honors and emoluments equal to those which have been bestowed upon any officers who have served in defense of the country. It must be recognized that in time of war reliance has been had upon volunteers to bear the heat and burden of the conflict, and that it has always been, and will no doubt be to the end, the policy of the Government to maintain a small Regular Army. The civil war involved the perpetuity of the Union. The Union was preserved and the national authority maintained at the end of the greatest war of the world, in which more than two millions of volunteers marched and fought under the triumphant banner of their country.

A great reunited people now owe their repose and peace at home, their phenomenal progress and prosperity, their commercial success, and their influence abroad to the preservation of the Union. I invite particular attention to the fact that this proposed legislation has received the approval of a very large number of prominent and influential men in various parts of the country. The petitions of these citizens are now in the hands of the military committees of the two Houses. Public opinion favors this legislation, and the legislatures of the States of Illinois, Ohio, New York, Michigan, Nebraska, Colorado, Wyoming, Utah, and Kansas, by unanimous votes, have passed resolutions indorsing it, and requesting the Senators and Representatives from these States to vote for the enactment of a volunteer retired list law. The bill should have been passed and enacted into law long ere this. Patriotism commands it. Gratitude demands it. Let us do our duty and pass the bill.

And now, Mr. Chairman, that is all I care to say at this time in connection with this matter, but ere I take my seat I ask unanimous consent to print in the RECORD, as part of my remarks, several letters from distinguished volunteer army officers in favor of this legislation. These letters are similar to dozens I am receiving weekly from all over the country, and they speak eloquently for justice to the soldiers and sailors of the Union.

The CHAIRMAN. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none, and the request is granted.

The letters follow:

235 WEST ONE HUNDRED AND SECOND STREET,  
New York, February 22, 1909.

HON. WILLIAM SULZER, M. C.,  
Washington, D. C.

DEAR MR. SULZER: Through the courtesy of my old comrade, our esteemed mutual friend, Colonel Lowry, I have a copy of your

bill to create a volunteer retired list, and as a party in interest I sincerely thank you for your wise, patriotic, and energetic efforts in that direction. While this bill does not make the same allowance for the surviving officers of the civil war that had been so deservedly extended to those of the Revolution by the acts of 1828 and 1832, granting them full pay during life, if the Government of the country that we fought to protect through all the perils of a terrible war, without counting any risk of life or financial sacrifice, is not willing or can not afford to do us justice, we must be grateful for what we can get and be content with the thought that "half a loaf is better than none," but we want that half loaf now, while we are alive to eat it. I was wounded nine times in battle and know whereof I speak.

The question of other necessary large appropriations should, in my opinion, not be allowed to cause delay, for the Government had to issue bonds to raise funds to prosecute the war and it can do so now to help those who had volunteered their lives in her service.

Gen. Edwin L. Hayes, who is in his ninety-first year, called to see me last Friday. He has a brilliant war record, but is physically feeble and financially needy. I read him your bill, and he answered:

"Please thank Mr. SULZER for me, but tell him, for God's sake, to have the bill passed at this session, for I do not expect to live until the next."

There are hundreds of similar cases that should not be suffered to plead in vain to the heart of our great Nation. Private soldiers, on an average, now receive as much in pensions as they received pay during the civil war, while officers do not receive one-tenth of their former pay.

Although it takes private soldiers to make generals and win battles, it required good officers and hard, persistent work to convert the raw material into the brave, efficient soldiers that won the battles of the civil war.

You are known throughout the land as the "soldier's friend," and can you not add one more golden link to the long chain of noble deeds for which we owe you love and gratitude and have your bill enacted into law at this session of Congress?

With esteem and best wishes,  
Very truly, yours,

SAML. K. SCHWENK.

PHILLIPSBURG, N. J., November 30, 1908.

HON. WILLIAM SULZER, Esq.,  
New York City,

DEAR SIR: I have been told that you are drawing up a bill having for its object the placing of the ex-officers of the United States Army, Navy, and Marine Corps who served during the late civil war on the retired list and treated in every respect with the same honors and considerations shown to the regular officers who served in that war. In one of the bills introduced last winter for the army it made it obligatory to have served eighteen months. Another bill made the time limit one year.

I have for years been a medical examiner—United States pension surgeon—and to secure a pension ninety days' service is required. In your bill I would suggest as a time limit six months or nine months, as it is not fair to exact a year or eighteen months for those who went and did their duty and stayed in until the end of the war. They should be entitled to be placed on the retired list, as it was not their fault that the war was over and they mustered out. If in your bill you exact a six months' service, that would be all right.

A second suggestion is this: In one of the bills of last winter the officer must have resigned or been honorably discharged on or before July 15, 1865. This is not right, for the Government could not disband so large an army and navy in so short a time. I was in the navy and not discharged until August 10, 1865, and others on my ship and some I know of not until September and later. At this point I would suggest that to be placed on the retired list they must have entered the service on April 15, 1861, and resigned or been honorably discharged prior to October 1, 1865, or December 31, 1865.

A third suggestion—as to being retired on the rank one grade higher than the highest grade attained in the service. This is the rule in the navy, I know, and I believe the same applies to the army. All officers, as a mark of honor, especial honor of the Regular Navy, on being retired and who served for any length of time in the civil war are retired one rank higher than the highest in which they served. No other naval officers who are placed on the retired list of the navy—and I think the army—are given this extra rank on retirement. It is a special mark of appreciation and honor, intended only for the regular officers who served in that war.

Now, if regular officers are given this special mark of appreciation and honor, should not volunteers on their being retired be treated with the same consideration and respect and have equal honors with the regulars for their (the volunteers) service in the same war?

I would suggest, therefore, when drawing your bill, that you incorporate in it this special honor, making, as I presume you intend to, that the volunteer shall be in every respect on the same footing and with equal consideration and respect and with the same honors accorded to the regulars. I have had all the papers from the Navy Department relating to naval officers' retirement, and know just what I am writing about. I ask and hope that you will give my suggestions your careful consideration, and hope you may decide to incorporate them in your new bill. I am, sir,

Very truly, yours,

J. A. PETRIE, M. D.

PHILLIPSBURG, N. J., November 30, 1908.

HEADQUARTERS CAMERON POST, 79,  
DEPARTMENT NEW YORK, G. A. R.,  
New York City, February 22, 1909.

HON. WILLIAM SULZER, M. C.,  
Washington, D. C.

DEAR SIR: I have just been reading a copy of your bill to authorize placing on the retired list certain surviving officers of the United States Volunteer Army. I wish to thank you for your tireless labor in our behalf, and assure you that I am firmly impressed with the justice of this proposed measure and believe that the passage of such a worthy and righteous act should be secured soon as possible. I know many worthy surviving officers who are earnestly interested in the enactment of such a bill; some that are not able to work, and others who can not find employment and are living on charity and slowly starving. May God help you in this good work.

Very sincerely, yours,

LUCIUS E. WILSON,  
Commander Cameron Post, 79, G. A. R.

67 West Eleventh street.

Richard H. Bermingham, recording secretary, 56 West Ninety-third street; William A. Peet, financial secretary, 52-54 Park street; Sixty-third, Sixty-ninth, Eighty-eighth, Fourteenth, and Fifteenth batteries, New York, Twenty-eighth Massachusetts and One hundred and sixteenth Pennsylvania Volunteers, comprising Meagher's Irish brigade, Col. James J. Smith, honorary president, New Sixty-ninth Regiment Armory, Lexington avenue, between Twenty-fifth and Twenty-sixth streets.

NEW YORK, February 24, 1909.

HON. WILLIAM SULZER, M. C.

MY DEAR MR. SULZER: Your favor of the 16th, together with the copies of the volunteer officers' bill, came duly to hand. I have seen quite a number of the ex-officers, and all of them approve of the bill, without an exception, and will cheerfully aid you to the best of their ability in making it a law. I want to say that we all know that you are our consistent friend and fully appreciate your efforts in our behalf, and thank you most cordially for the same. Wishing you success in every direction, and with kindest wishes and best regards,

I am, very truly, yours,

JNO. R. NUGENT,

35 Mount Morris Park West, New York City.

Illinois and Chicago Volunteer Retired List Committees, Joseph B. Leake, brevet brigadier-general, president; F. A. Battey, lieutenant-colonel, Fifty-seventh Illinois Volunteer Infantry, secretary and treasurer. Vice-presidents at large: Samuel Fallows, brevet brigadier-general, Chicago; James A. Connelly, major One hundred and twenty-third Illinois Volunteer Infantry, Springfield. Vice-presidents of congressional districts: First district, Col. W. L. Barnum, 174 Dearborn street, Chicago; second district, Capt. M. J. Sheridan, 4351 Calumet avenue, Chicago; third district, Capt. James G. Everest, 6611 Yale avenue, Chicago; fourth district, Lieut. Joseph S. Smith, Forty-fourth street and Center avenue, Chicago; fifth district, Bvt. Brig. Gen. Charles T. Hotchkiss, Chicago; sixth district, Adj. Edward A. Blodgett, 510 West Monroe street, Chicago; seventh district, Col. John W. Bennett, 122 South Central avenue, Chicago; eighth district, Lieut. Robert S. Bennett, 138 West Monroe street, Chicago; ninth district, Maj. William Eliot Furness, 417 Orchard street, Chicago; tenth district, Maj. E. D. Reddington, Evanston; eleventh district, Lieut. E. W. Willard, Joliet; twelfth district, Capt. J. August Smith, Rockford; thirteenth district, Maj. George S. Avery, Galena; fourteenth district, Lieut. W. H. Sexton, Monmouth; fifteenth district, Lieut. George M. Janes, Quincy; sixteenth district, Lieut. H. M. Trimble, Princeton; seventeenth district, Gen. George F. Dick, Bloomington; eighteenth district, First Lieut. Samuel F. Wilson, Neoga; nineteenth district, Maj. F. L. Hays, Decatur; twentieth district, Capt. W. A. Kirby, Jacksonville; twenty-first district, Lieut. B. R. Hieronymus, Springfield; twenty-second district, Maj. William R. Prickett, Edwardsville; twenty-third district, Capt. C. D. Kendall, Newton; twenty-fourth district, Capt. C. M. Lyon, McLeansboro; and twenty-fifth district, Capt. N. B. Thistlewood, Cairo.

ROCKFORD, ILL., February 22, 1909.

HON. WILLIAM SULZER,  
Congressman from New York.

HONORABLE SIR: From Col. F. A. Battey, of Chicago, Ill., I learned that you had introduced a new bill to Congress in the interest of the civil-war officers.

As vice-president of the twelfth congressional district of Illinois, I extend to you the thanks of the civil-war officers in this congressional district, and hope that your bill will become law.

Respectfully,

J. AUGUST SMITH,  
1121 North Church street.

JANUARY, 1909, LIST OF SURVIVING MAJOR-GENERALS AND BRIGADIER-GENERALS OF VOLUNTEERS OF THE CIVIL WAR.

The following printed list, prepared January, 1909, gives the name and age of 2 major-generals and 25 brigadier-generals of volunteers, the survivors of 131 major-generals and 549 brigadier-generals of volunteers appointed and who served during the civil war.

There are now only 2 major-generals and 25 brigadier-generals of volunteers surviving who are eligible to the provisions of the volunteer-retired list bills now pending before Congress:

Name.	Address.	Age at birthday after January 1, 1909.
<b>MAJOR-GENERALS OF VOLUNTEERS.</b>		
Dodge, Grenville M.	New York, N. Y.	78
Stahl, Julius.	do.	83
<b>BRIGADIER-GENERALS OF VOLUNTEERS.</b>		
Ames, Adelbert.	Lowell, Mass.	74
Andrews, Christopher C.	St. Paul, Minn.	80
Beatty, John.	Columbus, Ohio.	81
Bussey, Cyrus.	Washington, D. C.	76
Catterson, R. F.	Minneapolis, Minn.	74
Chamberlain, Joshua L.	Brunswick, Me.	81
Chetlain, August L.	Chicago, Ill.	85
Clayton, Powell.	Eureka Springs, Ark.	76
Connor, Selden.	Augusta, Me.	70
Cook, John.	Ransom, Mich.	84
Cooper, Joseph A.	St. Johns, Kans.	86
Curtis, Newton M.	Ogdensburg, N. Y.	74
Grant, L. A.	Minneapolis, Minn.	80
Gregg, D. McM.	Reading, Pa.	76
Harland, Edward.	Norwich, Conn.	77
McCook, Edward M.	319 Broadway, New York, N. Y.	74
McGinness, G. F.	Indianapolis, Ind.	83
Nickerson, Frank S.	Needham, Mass.	83
Paine, Charles J.	613 Sears Building, Boston, Mass.	76
Pierce, Byron R.	Grand Rapids, Mich.	80
Raum, Green B.	Chicago, Ill.	80
Seward, William H.	Auburn, N. Y.	70
Shaler, Alexander.	Ridgefield, N. Y.	82
Smith, William Sooy.	Monadnock Block, Chicago, Ill.	79
Webb, Alexander S.	Riverdale, N. Y.	74

Mr. SULZER. It is at present impossible to give the number of colonels, lieutenant-colonels, majors, captains, and lieutenants of volunteers during the civil war who are living, but it is suggested the proportion as above would be about the same.

The Clerk read as follows:

For pay of one clerk to the adjutant, \$1,500.

Mr. MACON. Mr. Chairman, I reserve a point of order against lines 1 and 2, on page 13. I am advised that that is an increase of salary.

Mr. HULL of Iowa. It is an increase of \$300 a year. The academy urged us to increase it to \$1,800, on account of the long service and special fitness of this clerk. We compromised by making it the same salary as the other clerks of his grade.

Mr. MACON. How many increases have you made in this bill?

Mr. HULL of Iowa. Very few; and this is one of them. When you come to civilian employees, like engineers and other skilled labor, we had to increase them on account of the increased work put upon them. I believe this is the only increase in the salary of a clerk. They tried to get the salary of this clerk raised last year, but the committee did not believe they could do it then. As a matter of justice in connection with his work, under the evidence, we believed he ought to have the \$1,500. As I say, the department urged us to increase it to \$1,800.

Mr. SULZER. In reply to the gentleman from Arkansas [Mr. MACON] I desire to say that this clerk is one of the most efficient and competent clerks at West Point. He is doing a great work, and the pay he is getting is very inadequate for the work he is doing. In my judgment, instead of getting \$1,500 a year, he is entitled to at least \$1,800 a year. The officers at West Point requested that he be paid \$1,800 a year, because he is worth it.

Mr. HULL of Iowa. I should like to refer my friend to page 211 of the estimates.

Mr. MACON. One minute, if the gentleman will excuse me, while I ask the gentleman from New York [Mr. SULZER] a question.

Mr. HULL of Iowa. Certainly.

Mr. MACON. I notice on page 14, line 7, an increase of the salary of an engineer from \$1,500 to \$1,800. Can the same be said about the engineer, that he is so necessary and so efficient—

Mr. HULL of Iowa. When we reach that, the gentleman can raise the point.

Mr. MACON. I was inquiring of the gentleman from New York, who was insisting that this clerk was so efficient that it was absolutely necessary to increase his salary, if the same could be said about this engineer whose salary has also been increased?

Mr. SULZER. I will say to the gentleman from Arkansas that the comments I made with reference to this clerk will apply with equal force to the engineer. He is being paid entirely too little for the work he is doing.

Mr. MACON. Now I yield to the chairman of the committee.

Mr. HULL of Iowa. If the gentleman will look on page 211 of the Estimate he will find this note:

An increase of \$600 is asked for, and is deemed proper for the reason that this clerk has recently been appointed chief clerk of the adjutant's office, and the rate of pay is recommended that he may receive a salary commensurate with the duties and responsibilities of his position. He has been employed as a clerk in the adjutant's office since 1872, and has earned the promotion which has been bestowed upon him.

They promoted him to chief clerk, increasing his duties; but in any event the office of adjutant is always of enough importance for the clerk to get as much salary as the clerks for the other departments.

Mr. MACON. Can the gentleman give me some idea of the total increases of salaries in this bill?

Mr. HULL of Iowa. I would not call an increase to an engineer or plumber an increase of salary.

Mr. MACON. This is an increase from \$1,500 to \$1,800. I call that an increase of \$300.

Mr. HULL of Iowa. This is an increase of \$300 for this one office.

Mr. MACON. But the salary of this engineer has also been increased from \$1,500 to \$1,800.

Mr. HULL of Iowa. I think that \$300 is more than made up by dispensing with another officer there, which I can explain when I reach it. Of course I would not want to talk offhand about all these matters; and when we reach it I will try to give the gentleman the information.

Mr. MACON. Will the gentleman give me some idea of the total amount carried in the bill as increases of salaries?



Mr. HULL of Iowa. I should think \$2,000. We have been very parsimonious in the preparation of this bill.

Mr. MACON. That is all. I withdraw the point of order. The Clerk read as follows:

For pay of one draftsman in department of civil and military engineering, \$1,000.

Mr. KAHN. Mr. Chairman, I move to amend line 14, page 14, by inserting, after the word "thousand," the words "two hundred," so that it will read "\$1,200."

The Clerk read as follows:

Insert on page 14, line 14, after the words "thousand," the words "two hundred," so that it will read "\$1,200."

Mr. KAHN. That is the salary that is being paid at the present time to this inspector. It was a mistake of the copyist.

Mr. MACON. And there is no increase?

Mr. KAHN. No increase at all.

The amendment was agreed to.

The Clerk read as follows:

In all, to civilians employed at Military Academy, \$77,058.

Mr. HULL of Iowa. Mr. Chairman, I ask to correct the total in line 10 by adding \$200 to the total.

The Clerk read as follows:

Page 17, line 10, after the word "thousand," insert the words "two hundred."

The amendment was agreed to.

The Clerk read as follows:

Total pay of Military Academy, \$627,153.33.

Mr. HULL of Iowa. Now I move that the total be amended to correspond with the \$200 added.

The CHAIRMAN. Without objection, the total will be corrected.

There was no objection.

The Clerk read as follows:

For maintaining the children's school, the Superintendent of the Military Academy being authorized to employ the necessary teachers, \$3,520.

Mr. COX of Indiana. Mr. Chairman, I move to strike out the last word in order to get some information as to what is meant by this children's school.

Mr. HULL of Iowa. Congress established a children's school at West Point. It is largely for enlisted men's children. There are, as I understand, over 200 children there now; my friend from Texas [Mr. SLAYDEN] can perhaps state better about that, as he has just been there.

Mr. SLAYDEN. There are more than that.

Mr. HULL of Iowa. Before that they were compelled to go to Highland Falls, and the people there protested against their being sent there, and Congress, after fighting over it several years, finally established this school. This is a continuation of the same work started a year ago.

Mr. COX of Indiana. And this school is for children of the employees of the academy?

Mr. HULL of Iowa. For anybody who is on the academy grounds.

The Clerk read as follows:

For necessary alterations to frame building on the recently purchased "Dassouri" property to convert into quarters for gardener's house (submitted), \$1,000.

Mr. HULL of Iowa. Mr. Chairman, in line 5, page 30, I move to strike out the word "submitted."

The Clerk read as follows:

Line 5, page 30, strike out the word "submitted" in parentheses.

The amendment was agreed to.

The Clerk read as follows:

Total buildings and grounds, \$1,724,035.

Mr. SLAYDEN. Mr. Chairman, this bill is about to be concluded, and before it is I want to congratulate the chairman for bringing in and getting through a bill with the apparent approval of the entire House, and on the skill which he has manifested in steering it through. I also want—because I am afraid I shall not have another occasion, and no one else would think of it—to take a little credit to myself for one feature of the bill.

Gentlemen will have observed that the item to pay the cost of the committee referred to as the "Board of Visitors" is \$1,000. In the bill last passed it was \$2,000, and previous to that it was \$3,500 a year. The actual expenses incurred by the visitors to the academy on the occasion of the last visit a few weeks ago was something under \$500. This very item, in my judgment, is now twice as large as it need be.

Mr. MANN. Will the gentleman yield for a question?

Mr. SLAYDEN. Certainly.

Mr. MANN. Can the gentleman inform us how many times the Board of Visitors make a trip to West Point?

Mr. SLAYDEN. Mr. Chairman, I think perhaps I know what the gentleman has in mind, and if I am not correct he can set me right. The law contemplates one visit a year by the Board of Visitors. But the present board passed a resolution, or on a motion, which is not law, however, agreed to adjourn to meet again in June. Under what conditions they will go there I do not know.

Mr. PARKER. I do not understand it so with respect to the call of the chairman, and we expect to hold a meeting next Wednesday to determine on that question.

Mr. SLAYDEN. The report shows that the motion was to adjourn and to assemble again at the academy in June. I speak from memory, but think I am right.

Mr. PARKER. The record is to assemble at the call of the chairman.

Mr. MANN. It is admitted they have adjourned to meet again and go to West Point again?

Mr. PARKER. No; it is not.

Mr. MANN. Is it contemplated that this Board of Visitors shall make two trips to West Point instead of one?

Mr. PARKER. I shall propose at the next meeting—and of course this is not yet arranged—that not more than three or five of the committee shall attend in June in order to act as a visiting board at that time.

Mr. MANN. Does that limitation of numbers include the wives?

Mr. SLAYDEN. Mr. Chairman, as this is all going on in my time I presume I have a right to ask a question. It makes no difference how many gentlemen go to the academy in June, as they will perhaps go at their own expense, the work of the Congress being done. I see no public reason why a second visit should be made. This discussion brings up the point of when visitors should go to the academy. I have my views about that, and other gentlemen have different views. My own impression is that they ought to go during the working season. I do not believe they ought to go there when the academy is on parade—that is, if they go for the information of Congress.

Mr. MANN. In other words, the gentleman thinks they ought to go to investigate and not to attend a hop.

Mr. SLAYDEN. That is it exactly. That is the distinction, and the gentleman has drawn it very clearly and sharply. If they go in June they have a better time. Then the grass is green and the sun is shining, and there are a great many agreeable visitors there, and it is an exceedingly pleasant occasion; but the argument that they would go there and see the classes and go into the recitation rooms, and so forth, has no influence on my mind, because, with all due respect to the attainments of the Members of Congress, I doubt if one in five would know what was going on anyway if he got into one of the classrooms. I do not believe that the people who make the argument are impressed by it. They seek to justify the visit in June in order to have a good time.

Mr. ANTHONY. Mr. Chairman, I would like to ask the gentleman from Texas if he has noted the language of the superintendent in his report in regard to this question? I notice here that he says he is opposed to the Congressmen composing this Board of Visitors, that he prefers distinguished visitors. In other words, that he does not believe that the common, garden variety of Congressmen are really distinguished visitors. As the gentleman is on that board, I would like to ask him if he has read the report?

Mr. SLAYDEN. I have no personal resentment because of the language of the superintendent, with reference to the character of the board, but I do object to his recommendation for this reason: Congress, after having considered it for a long time, amended the statutes. Before there was an opportunity to try what would be done under that new law, before there was an opportunity to test it, the Superintendent of the Military Academy, learned and trained in the law, I dare say, recommended that the old policy be returned to. He set his judgment up against that of the entire Congress and advised us to repeal a law that had commended itself to the judgment of both Houses before it could be put in operation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SLAYDEN. I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MANN. Was not the reason for that, that he used to be consulted about who would be appointed, and thus have a chance to appoint some of his friends, and that now he is not?

Mr. SLAYDEN. Mr. Chairman, I can not answer that question. Those were places that went to the administration, and as I have never been inside the fold I can not say. But he did

recommend before it had been tried that a law of Congress enacted without opposition should be repealed. I think it almost approaches impertinence, though not meant to be so, of course. In view of what has actually been done, in view of the entirely satisfactory working of the law, in view of the manifest economy, it ought to be continued, and I believe that it ought to be strengthened. Whether the Board of Visitors should be reduced, as suggested by the gentleman from New Jersey [Mr. PARKER], is a question for Congress to determine. I wrote the amendment originally, and I provided for exactly the number now suggested by my friend from New Jersey [Mr. PARKER], but it was subsequently increased in the other body. I think a smaller subcommittee would do as well and it would cost less.

Mr. CAMPBELL. Is this superintendent absolutely necessary to the service at the Military Academy?

Mr. SLAYDEN. I hardly think so.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANTHONY. I would like to ask the gentleman from Texas if, in his judgment, the visit of the committee at that time interfered with the academy work, as also intimated by the superintendent?

Mr. SLAYDEN. No; my colleague from New Jersey has just answered "not a bit," and I entirely indorse what he says. On the contrary, we dispatched the business promptly and satisfactorily, and came back with a better understanding of what the needs of the academy were with reference to this bill than if we had had the superintendent down here. He would have made two trips, mileage and expenses each time, and possibly have had an officer with him. That also has been saved.

Mr. ANTHONY. I also failed to hear the gentleman's reply to my former question upon the difference between distinguished citizens and Congressmen.

Mr. SLAYDEN. Well, Mr. Chairman, I am afraid, now, that a mere Member of Congress will never satisfy the taste of gentlemen who have been so used to "distinguished society." I fear that distinguished society is preferred to economy and mere usefulness. The old style Board of Visitors wrote solemn reports that were published at considerable expense but never read. They were ornamental and distinguished but not useful, and never impressed the Congress.

Mr. HULL of Iowa. Mr. Chairman, I ask unanimous consent that all that part of the bill commencing with line 24, on page 30, down to and including line 15, page 31, be stricken out without reading. I will say that the Congress has agreed on an exact provision and it is simply a waste of time to read the provision, so I ask unanimous consent that it may be stricken out.

Mr. SULZER. Mr. Chairman, before the motion of the gentleman from Iowa [Mr. HULL] is put I want to say just a word. It is well known that recently the Congress passed a bill, which is now a law, to accept the substantial gift of Mrs. Russell Sage of Constitution Island, in the Hudson River, and that the same be made a part of the military reservation at West Point. When this legislation was under consideration I thought that, on account of the great value of the donation, the least the Congress could do would be to record a vote of thanks to Mrs. Sage. For some reason this was not done. I for one think that omission was a mistake. Mrs. Sage is to-day one of the noblest women in all the world. She is the grandest example in our land of what a rich woman with noble impulses can accomplish for good. She is doing a most commendable and beneficent work along charitable and humanitarian lines. She is entitled not only to the thanks of the Congress for the gift to the Government of Constitution Island, but, in my opinion, she is entitled to the thanks of every true American for the great and the grand and the glorious work she is doing for humanity. God bless Mrs. Sage! God spare her life to do good for many, many years to come! [Loud applause.]

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa? [After a pause.] The Chair hears none.

Mr. HULL of Iowa. Mr. Chairman, just one word before I move that the committee rise, and that is in reference to the Board of Visitors' business, which has been under discussion here. I want to say this for the new plan, that we have never yet had such information or such valuable information as we had in the preparation of this bill this year as a result of Members of Congress going to West Point and discharging the duties for which they were sent there in place of discharging the duties of great social occasions. Now, Mr. Chairman, I move that the committee do now rise and report the bill to the House with the amendments, with the recommendation that the amendments be adopted and the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. STERLING, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 28059) making appropriations for the support of the Military Academy, and had directed him to report the bill with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded upon any one of the amendments? If not, the vote will be taken on the amendments in gross.

The question was taken, and the amendments were agreed to. The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HULL of Iowa, a motion to reconsider the last vote was laid on the table.

#### RIVERS AND HARBORS BILL.

Mr. BURTON of Ohio. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 28243) to provide for the repair, maintenance, and preservation of public works on rivers and harbors, and for other purposes.

Mr. KEIFER. Mr. Speaker, I would like to know whether there is to be general debate on this bill.

The SPEAKER. The Chair can not inform the gentleman. Mr. BURTON of Ohio. I would state that it is the earnest desire of the committee that the bill be passed this evening.

Mr. KEIFER. If this be so, it is the earnest desire of a good many Members around me that we should pass the bill after we have given it some proper consideration, and if we can not get it we will have to insist on staying here all night before we will agree to pass this bill.

If we can not get that, we will have to insist on sitting here all night before we will agree to pass this bill. If we can have a fair amount of debate to-night, I shall make no unreasonable objection.

Mr. BURTON of Ohio. I would state that a bill from the committee of which my colleague is a member—the sundry civil bill—is to be considered, as I am informed, on Monday; so that if this bill is disposed of, it will have to be disposed of to-day or else take its chances at a later time.

Mr. KEIFER. I will be willing to consider this bill, but we are not willing to take it and pass it in its present state without full consideration; and we can not more than give the gentleman notice that we shall use every means we have to prevent its passage until we have a discussion.

The SPEAKER. The gentleman from Ohio moves that the House resolve itself into Committee of the Whole House on the state of Union.

Mr. CLARK of Missouri. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CLARK of Missouri. Can not we agree upon some time, I will ask the gentleman from Ohio, with the permission of the Chair?

Mr. BURTON of Ohio. I have heard from none who desires time in favor of the bill, nor from others opposed to the bill, except from one or two Members who desire to put amendments on the bill.

Mr. CLARK of Missouri. I do not desire to say a word upon the bill myself, but the easiest way is to give these men some time.

Mr. BURTON of Ohio. I ask unanimous consent that general debate close in one hour.

Mr. KEIFER. Two hours.

Mr. CLARK of Missouri. I suggest a compromise between the two; take an hour and a half.

Mr. KEIFER. I understand that it is the object to pass this bill as it is presented. The House may have power to do it, but we want to have some discussion on this matter.

Mr. BURTON of Ohio. How much time does my colleague desire?

Mr. KEIFER. I have just seen the bill this afternoon. I should be satisfied entirely with an hour myself. I do not want to be factious.

Mr. SULZER. How would you like to have it on the 5th of March? [Laughter.]

Mr. MANN. You might as well have it on the 5th of March as insist now.

Mr. KEIFER. I have no objection to the bill being considered in a proper way, but I have no idea that any Member here has read the bill, unless it be a member of the Committee on Rivers and Harbors, and I doubt whether they have all read it. Therefore I think we ought to have some proper considera-



tion in a matter which is carrying in appropriation an amount vastly greater, although it is a mere survey, than the old river and harbor bills carried. We ought to consider it.

Mr. BURTON of Ohio. Mr. Speaker, I modify my request for unanimous consent so that there be two hours of general debate.

The SPEAKER. The gentleman asks unanimous consent that there be two hours of general debate. Is there objection? [After a pause.] The Chair hears none.

The motion to go into Committee of the Whole House on the state of the Union was then agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. CURRIER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 28243, the river and harbor appropriation bill.

Mr. BURTON of Ohio. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. KEIFER. I object to that.

The CHAIRMAN. Objection is made, and the Clerk will report the bill.

The Clerk proceeded to report the bill.

Mr. BURTON of Ohio (during the reading of the bill). I ask unanimous consent that the further reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

Mr. GILHAMS. I object.

The CHAIRMAN. The gentleman objects.

The Clerk resumed the reading of the bill.

Mr. BURTON of Ohio (interrupting the reading). Mr. Chairman, I ask that the reading be suspended for a moment. I should like to inquire if any members of the committee desire to discuss this bill, or any special paragraph of it?

The CHAIRMAN. The gentleman asks if Members desire to discuss the bill.

Mr. FITZGERALD. I shall want to ask some questions in the five-minute debate.

Mr. BURTON of Ohio. On any particular project?

Mr. FITZGERALD. On one or two items in the bill.

Mr. BURTON of Ohio. Would not the gentleman take the opportunity in the discussion that would be provided under a motion to suspend the rules?

Mr. FITZGERALD. I might want to reserve some points of order and make them. I am not joining in any obstructive tactics.

Mr. BURTON of Ohio. I want to know if there is anyone who wants to discuss this bill under the five-minute rule? There is but one answer.

Mr. KEIFER. I am trying to make the second answer.

Mr. BURTON of Ohio. Mr. Chairman, the situation is this: Two members of this committee have desired that a survey for canals, which would be entirely out of place in this bill, should be included in the measure. They were very properly rejected, not only because they do not belong here, but because we have a dozen others quite as meritorious that we felt compelled to turn down. I question whether we should detain this committee and the House here merely to meet such a situation as that if there is no one else who desires to discuss this bill on its merits. Here is a bill that has certain provisions, and it stands or falls on its merits. Now, it seems to me there is no desire for any discussion except for the purpose of obstruction, by reason of disappointment, which has no rational or just basis.

Mr. KEIFER. Mr. Chairman, I ought to be allowed to reply. A moment ago I was called out of the door by a gentleman who desired to have a word with me, and in my absence the gentleman in charge of this bill thought he would get the unanimous consent of this committee and defeat the opposition that I have set up to his bill.

The gentleman in charge of this bill says that the measure that I am interested in has no place on the bill. There are three or four just such provisions in this bill, one of which looks to an improvement which, if made, would cost \$1,000,000,000, while mine, which is not in this bill, and more meritorious, would only cost about \$20,000,000 or \$25,000,000. Now, I am not mistaken. I asked simply for a survey. The gentleman turned it down, and in the presence of this committee says that has no place as a survey on this river and harbor bill, which is little else than a survey bill, with literally hundreds of survey propositions in it.

The committee has put in the bill a provision for a survey of a ship canal paralleling the Atlantic Ocean from Boston,

Mass., practically to Key West, Fla., two thousand and more miles, I understand, a project which, if carried out, if the improvement were made, would cost a billion dollars. What I wanted to have considered by the House the gentleman thinks should not be considered, and that is a survey for a ship canal between Lake Erie and the Ohio River.

Mr. WILLIAMS. Mr. Chairman, I do not think this method of doing business is conducive either to good order or good humor. I call for the regular order.

Mr. GILHAMS. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise? Mr. GILHAMS. I would like to make a statement.

Mr. WILLIAMS. I have called for the regular order.

The CHAIRMAN. The regular order is demanded. The Clerk will read.

Mr. BURTON of Ohio. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. CURRIER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 28243, and had come to no resolution thereon.

Mr. BURTON of Ohio. Mr. Speaker, I move that the rules be suspended, and that the House pass the bill (H. R. 28243) to provide for the repair, maintenance, and preservation of public works on rivers and harbors, and for other purposes, with the two amendments which I will send to the Clerk's desk, and that the further reading of the bill be dispensed with.

The SPEAKER. The gentleman from Ohio moves that the rules be suspended, that the further reading of the bill H. R. 28243 be dispensed with, and that the House do pass the bill with the following amendments, which the Clerk will report.

The Clerk read as follows:

Page 12, line 20, strike out the period after the word "eleven," insert a colon, and add the following:

"Provided, That the said dam shall immediately upon its completion become the property of the United States, and that the grantees under the said act of May 1, 1906, shall operate and maintain the other works authorized by the said act in accordance with and subject to the provisions of the act entitled 'An act to regulate the construction of dams having navigable waters,' approved June 21, 1906, so far as the provisions are applicable."

On page 43, after the word "yard," in line 6, insert:

"Channel across Newport News middle-ground bar, with a view to obtaining a suitable depth and width between Old Point and Newport News."

The SPEAKER. Is a second demanded?

Mr. MANN. I demand a second.

Mr. KEIFER. I demand a second on this motion to suspend the rules.

Mr. BURTON of Ohio. I ask unanimous consent that a second be considered as ordered.

Mr. MANN. I have no objection to the gentleman from Ohio demanding a second, although I made the demand, if I may have a little time.

Mr. KEIFER. I will give you all the time I have to spare.

The SPEAKER. The Chair recognizes the gentleman from Illinois. Is the gentleman from Illinois opposed to the bill?

Mr. COOPER of Texas. Mr. Speaker, a parliamentary inquiry.

Mr. MANN. I am opposed to part of the provisions of the bill.

Mr. KEIFER. If the gentleman is not opposed to the bill, I think I ought to be recognized. I will give the gentleman from Illinois half my time.

The SPEAKER. The gentleman from Texas rises to a parliamentary inquiry.

Mr. COOPER of Texas. At this time, is it permissible to offer an amendment that is germane to this bill and that has already been favorably reported by the Committee on Rivers and Harbors?

The SPEAKER. It is not, except by unanimous consent.

Mr. COOPER of Texas. Then I ask unanimous consent that I be permitted to offer as an amendment at this time a bill that has this morning been favorably reported by the Committee on Rivers and Harbors.

The SPEAKER. Is there objection?

Mr. MANN. I object.

Mr. BURTON of Ohio. It is true this bill has been reported, but we have reported it as a separate measure, and I should object.

The SPEAKER. Objection is heard.

Mr. MANN. Mr. Speaker, I will yield to the gentleman from Ohio [Mr. KEIFER] to demand a second.

The SPEAKER. Is there objection to a second being considered as ordered?

Mr. KEIFER. I make the point of no quorum.

Mr. BURTON of Ohio. I ask for the previous question.

Mr. KEIFER. There is no previous question when you move to suspend the rules.

The SPEAKER. The point of no quorum is made. Is there objection to ordering a second?

Mr. KEIFER. There is until we find out whether there is a quorum.

Mr. BURTON of Ohio. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

Mr. KEIFER. Until we find out whether there is a quorum, I object.

The SPEAKER. The gentleman from Ohio, Mr. BURTON, and the gentleman from Ohio, Mr. KEIFER, will take their places as tellers.

The House divided, and the tellers reported that there were 117 ayes and 2 noes.

The SPEAKER. It appears to the Chair, after inquiry and examination of the House, that no quorum is present. The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent Members, the Clerk will call the roll, and as many as are in favor of ordering a second will, as their names are called, answer "aye," and those opposed "no."

The question was taken; and there were—yeas 223, nays 7, answered "present" 12, not voting 143, as follows:

## YEAS—223.

Adair	Dixon	Holliday	Olcott
Alexander, Mo.	Douglas	Houston	Page
Alexander, N. Y.	Draper	Howell, N. J.	Parsons
Allen	Driscoll	Howell, Utah	Payne
Ashbrook	Dwight	Howland	Perkins
Barchfeld	Edwards, Ga.	Hubbard, Iowa	Peters
Barclay	Edwards, Ky.	Hubbard, W. Va.	Pray
Bartlett, Ga.	Ellerbe	Huff	Rainey
Bartlett, Nev.	Ellis, Mo.	Hughes, W. Va.	Randell, Tex.
Beall, Tex.	Ellis, Oreg.	Hull, Tenn.	Ransdell, La.
Bede	Englebright	Humphrey, Wash.	Rauch
Bell, Ga.	Esch	Humphreys, Miss.	Reynolds
Bingham	Fassett	Johnson, Ky.	Richardson
Birdsall	Favrot	Johnson, S. C.	Robinson
Bonyng	Ferris	Jones, Va.	Rodenberg
Boutell	Finley	Jones, Wash.	Russell, Mo.
Boyd	Fitzgerald	Kahn	Russell, Tex.
Brantley	Floyd	Kennedy, Iowa	Scott
Brownlow	Focht	Kennedy, Ohio	Sheppard
Burgess	Fordney	Kinkaid	Sherley
Burleson	Foster, Ill.	Kitchin	Sims
Burnett	Foster, Vt.	Knapp	Slemp
Burton, Del.	French	Küstermann	Smith, Iowa
Burton, Ohio	Gaines, Tenn.	Laning	Smith, Mich.
Butler	Gaines, W. Va.	Lawrence	Smith, Mo.
Byrd	Garner	Lee	Smith, Tex.
Calderhead	Garrett	Lever	Snapp
Campbell	Gilhams	Lindbergh	Snodwick
Candler	Gillespie	Lloyd	Sparkman
Capron	Gillett	Longworth	Sperry
Carlin	Godwin	Lovering	Steenerson
Carter	Goebel	McCall	Stephens, Tex.
Cassel	Gordon	McCreary	Sterling
Caulfield	Goulden	McGuire	Stevens, Minn.
Chaney	Greene	McHenry	Sturgiss
Chapman	Griggs	McKinley, Cal.	Sulzow
Clark, Fla.	Grinn	McKinley, Ill.	Tawney
Clark, Mo.	Haggett	McLachlan, Cal.	Thomas, N. C.
Clayton	Hale	McLain	Tirrell
Cocks, N. Y.	Hall	McLaughlin, Mich.	Tou Velle
Cole	Hamill	Macon	Townsend
Cooper, Pa.	Hamilton, Iowa	Madden	Underwood
Cooper, Tex.	Hamilton, Mich.	Mann	Volstead
Cooper, Wis.	Hamlin	Marshall	Vreeland
Cox, Ind.	Hardwick	Martin	Wallace
Craig	Hardy	Maynard	Watson
Cravens	Harrison	Mondell	Webb
Crumpacker	Haugen	Moon, Tenn.	Weeks
Currier	Hawley	Moore, Tex.	Wiley
Dalzell	Hayes	Morse	Williams
Darragh	Hedin	Murdock	Wilson, Ill.
Davidson	Henry, Conn.	Needham	Wilson, Pa.
Dawson	Henry, Tex.	Nelson	Woodyard
Denby	Higgins	Nye	Young
Denver	Hill, Conn.	O'Connell	
Diekema			

## NAYS—7.

Booher	Helm	Rucker	Thistlewood
Hay	Hitchcock	Smith, Cal.	

## ANSWERED "PRESENT"—12.

Adamson	Gardner, Mich.	McMorrin	Parker
Aiken	James, Ollie M.	Madison	Sabath
De Armond	Kelfer	Norris	Sherman

## NOT VOTING—143.

Acheson	Bowers	Cook, Colo.	Flood
Ames	Bradley	Cook, Pa.	Foelker
Andrus	Brodhead	Coudrey	Fornes
Ansberry	Broussard	Cousins	Foss
Anthony	Brundidge	Crawford	Foster, Ind.
Bannon	Burke	Cushman	Foulkrod
Barnhart	Burleigh	Davenport	Fowler
Bartholdt	Calder	Davis	Fuller
Bates	Caldwell	Dawes	Fulton
Beale, Pa.	Cary	Durey	Gardner, Mass.
Bennet, N. Y.	Cockran	Estopinal	Gardner, N. J.
Bennett, Ky.	Conner	Fairchild	Gill

Glass	Knowland	Moon, Pa.	Saunders
Goldfogle	Lafean	Moore, Pa.	Shackelford
Graft	Lamar, Fla.	Mouser	Sherwood
Graham	Lamar, Mo.	Mudd	Slayden
Guernsey	Lamb	Murphy	Small
Hackett	Landis	Nicholls	Spight
Hackney	Langley	Olmsted	Stafford
Hammond	Lassiter	Overstreet	Stanley
Harding	Law	Padgett	Swasey
Haskins	Leake	Patterson	Talbot
Hepburn	Legare	Pearre	Taylor, Ala.
Hill, Miss.	Lenahan	Pollard	Taylor, Ohio
Hinshaw	Lewis	Porter	Thomas, Ohio
Hobson	Lindsay	Pou	Waldo
Howard	Livingston	Pratt	Wanger
Hughes, N. J.	Lorimer	Prince	Washburn
Hull, Iowa	Loud	Pujo	Watkins
Jackson	Loudenslager	Reeder	Weems
James, Addison D.	Lowden	Reid	Weisse
Jenkins	McDermott	Rhinock	Wheeler
Kelher	McGavin	Riordan	Willett
Kimball	McMillan	Roberts	Wolf
Kipp	Malby	Rothermel	Wood
Knopf	Miller	Ryan	

So a second was ordered.

The Clerk announced the following pairs:

For the session:

Mr. BENNET of New York with Mr. FURNES.

Mr. SHERMAN with Mr. RIORDAN.

Mr. McMORRAN with Mr. PUJO.

Mr. WANGER with Mr. ADAMSON.

Until further notice:

Mr. STEENERSON with Mr. STANLEY.

Mr. MOON of Pennsylvania with Mr. POU.

Mr. WALDO with Mr. SAUNDERS.

Mr. LAFEAN with Mr. DAVENPORT.

Mr. AMES with Mr. AIKEN.

Mr. FULLER with Mr. LAMAR of Missouri.

Mr. PEARRE with Mr. SMALL.

Mr. TOWNSEND with Mr. STEPHENS of Texas.

Mr. MCGAVIN with Mr. PRATT.

Mr. GARDNER of Michigan with Mr. BARNHART.

Mr. JACKSON with Mr. WOLF.

Mr. CARY with Mr. WEISSE.

Mr. ADDISON D. JAMES with Mr. LEWIS.

Mr. FOULKROD with Mr. OLLIE M. JAMES.

Mr. COOK of Pennsylvania with Mr. FULTON.

Mr. CALDER with Mr. FLOOD.

Mr. BURLEIGH with Mr. ESTOPINAL.

Mr. BURKE with Mr. DE ARMOND.

Mr. BRADLEY with Mr. COCKRAN.

Mr. BEALE of Pennsylvania with Mr. CRAWFORD.

Mr. BATES with Mr. CALDWELL.

Mr. BARTHOLDT with Mr. BRUNDIDGE.

Mr. BANNON with Mr. BRODHEAD.

Mr. ANTHONY with Mr. BROUSSARD.

Mr. ANDRUS with Mr. BOWERS.

Mr. ACHESON with Mr. ANSBERRY.

Mr. FOSS with Mr. HOWARD.

Mr. FAIRCHILD with Mr. HOBSON.

Mr. DUREY with Mr. HAMMOND.

Mr. DAWES with Mr. HACKNEY.

Mr. DAVIS with Mr. HACKETT.

Mr. CUSHMAN with Mr. GOLDFOGLE.

Mr. COUSINS with Mr. GLASS.

Mr. COUDREY with Mr. GILL.

Mr. GRAHAM with Mr. KIMBALL.

Mr. GRAFF with Mr. KELHER.

Mr. FOSTER of Indiana with Mr. HUGHES of New Jersey.

Mr. GUERNSEY with Mr. KIPP.

Mr. LORIMER with Mr. MCDERMOTT.

Mr. LOUD with Mr. NICHOLLS.

Mr. LOUDENSLAGER with Mr. PADGETT.

Mr. LOWDEN with Mr. PATTERSON.

Mr. MCMILLAN with Mr. REID.

Mr. MALBY with Mr. RHINOCK.

Mr. MILLER with Mr. SHACKLEFORD.

Mr. MOORE of Pennsylvania with Mr. SHERWOOD.

Mr. MUDD with Mr. TALBOT.

Mr. OLMSTED with Mr. ROTHERMEL.

Mr. OVERSTREET with Mr. RYAN.

Mr. PRINCE with Mr. SLAYDEN.

Mr. BENNETT of Kentucky with Mr. LIVINGSTON.

Mr. LAW with Mr. LINDSAY.

Mr. KNOWLAND with Mr. HILL of Mississippi.

Mr. JENKINS with Mr. LENAHAN.

Mr. HULL of Iowa with Mr. LEGARE.

Mr. HEPBURN with Mr. LEAKE.

Mr. HASKINS with Mr. LASSITER.

Mr. HARDING with Mr. LAMB.

Mr. TAYLOR of Ohio with Mr. WATKINS.



Mr. SWASEY with Mr. TAYLOR of Alabama.

Mr. ROBERTS with Mr. SPIGHT.

Mr. THOMAS of Ohio with Mr. WILLETT.

Mr. WEEMS with Mr. MURPHY.

The SPEAKER. Upon this vote the yeas are 223, the nays 7, present 12, a quorum. A second is ordered. The Doorkeeper will open the doors. The gentleman from Ohio [Mr. BURTON] is entitled to twenty minutes and the gentleman from Ohio [Mr. KEIFER] to twenty minutes.

Mr. BURTON of Ohio. Mr. Speaker, I reserve my time. If no one cares to discuss this question, I move the previous question—

Mr. KEIFER. Mr. Speaker, I have witnessed the anxiety of the gentleman to keep the floor and say that nobody wished to speak, and now he tries to move the previous question, a thing entirely out of order. It is the second time, but I happened to be in the room this time.

The SPEAKER. The gentleman from Ohio [Mr. KEIFER] is recognized for twenty minutes.

Mr. KEIFER. Mr. Speaker, I would like to ask the gentleman from Ohio [Mr. BURTON] whether he intends to use his time all in one speech at the close or whether he has resigned all of his time now. That is the usual courtesy when we have such motions.

Mr. BURTON of Ohio. Mr. Speaker, I regret that my colleague takes such an unhappy view of this situation. I can not answer that question at this time. It depends upon the demands that are made upon me by the House as to what I shall do and what points require answer.

Mr. KEIFER. I supposed I had the right to ask the usual question. That is a courtesy among people here. I now yield five minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, I simply wish to call attention to one provision of the bill for a purpose which I will endeavor to make clear. Recently there was introduced into the House, on January 26, a bill authorizing the appointment of a waterways commission. That bill was properly referred, under the rules of the House, to the committee which had jurisdiction of the subject, which was the Committee on Interstate and Foreign Commerce. That bill has been receiving consideration by that committee. In the pending bill before the House is a provision contained providing for the appointment of a waterways commission. It would have been subject to a point of order if the bill had been considered in Committee of the Whole. It was not my purpose to make a point of order upon the provision, but to call attention to the fact that by the usurpation of jurisdiction by the Rivers and Harbors Committee they were not entitled, when it came to the appointment of that commission, to insist that the commission should be appointed from the Committee on Rivers and Harbors. The committee which had jurisdiction of the subject was the Committee on Interstate and Foreign Commerce. An item is reported, as I say, in the river and harbor bill, an item over which the Rivers and Harbors Committee has no jurisdiction, and about which it has no right to report. I insist that, while under no circumstances would I be a member of the commission, the members of the Interstate and Foreign Commerce Committee have an equal right to appointment on the commission with the members of the Committee on Rivers and Harbors; and that the same is true of the Committee on Appropriations, which will have to find the money; and the Committee on Ways and Means, which will have to find a way for raising the money; and I might say the same is equally true of any Member of the House, because, by the usurpation of jurisdiction, the committee obtains no title to the naming of the commission.

And I say this with perfect frankness, knowing well, although the distinguished gentleman now at the head of the Rivers and Harbors Committee is soon to be a great gain to the body at the other end of the Capitol [applause] and a great loss to this, that I assume that if this commission shall be appointed during the life of this Congress, regardless of where his activities shall be in the future, the commission will not lose the benefit of his personality, and that in any event that distinguished gentleman will be a member of that committee. [Applause.] I yield back the balance of my time.

Mr. KEIFER. Mr. Speaker, if the gentleman from Ohio, in charge of the bill, does not wish to consume some of his time, I yield two minutes' time to the gentleman from Indiana [Mr. GILHAMS].

Mr. GILHAMS. Mr. Speaker, I rise at this time to make a statement in order to set my position with this House right. The gentleman from Ohio made the statement that I was trying to retard the progress of the passage of the bill because I failed to get my canal proposition upon this bill. I am sorry to see that he feels that way, and I want to say to the House that my only purpose was to secure time and an opportunity that I might offer an amendment to the bill while it was being

considered, and I am very sorry at this time that the bill has been taken from the Committee of the Whole House and we are undertaking to pass it under suspension of the rules, because this will give me no opportunity to do the thing which I very much desired.

Mr. KEIFER. Mr. Speaker, no other gentlemen now desiring time, I will occupy a little myself. We are all aware that about three months' time has been devoted, as is claimed by the distinguished gentleman from Ohio [Mr. BURTON], in the preparation of this bill. It has come in here late in the session and was only printed last night. It required almost the exclusive attention of that distinguished gentleman and his committee three months to prepare and comprehend it, and he now asks us to-day to be so much wiser than he as to comprehend it inside of two hours, without even being allowed time to read it. That is not all. Under the motion to suspend the rules, it means that the House of Representatives shall vote to pass the bill without its ever being read at the Clerk's desk. We are to know its contents without having read the bill or being allowed to hear it read. The motion to suspend the rules is to pass the bill without its being read. No Member off of that committee, I guess not a single man of this House, has ever read connectedly a single section of the bill—

Mr. MANN. Oh, there are plenty of us who have read it.

Mr. KEIFER. There are not half a dozen in the House outside of the committee who have looked at it until this evening. Now, what does it mean? I remember that during an earlier service of mine in this Congress the country arraigned both parties for passing a river and harbor bill containing an appropriation amounting to \$8,000,000. This is only a survey bill and contemplates expenditures running into many millions and most likely hundreds of millions of dollars. It provides for surveys, much of it at a cost worked out through the War Department, but it proposes in addition to this cost to appropriate for surveys, so far as I have looked at it, over \$9,000,000, to be immediately available. To be more accurate, one of the bills appropriates \$8,185,750; section 2, \$500,000; section 3, \$600,000; and section 13, \$600,000; in all, \$9,885,750. This does not include other smaller sums appropriated nor the \$50,000 appropriated to commence the junket provided for in section 7 of the bill. Some of us wanted an appropriation of \$25,000, and it is said that it is not germane to the bill, but along comes a waterways association and said to the chairman and his committee, "give us a survey to parallel the Atlantic Ocean, running down along the coast from Boston to New York, thence to Baltimore, thence down to the Carolinas, down to St. Augustine or the St. Johns River, Florida, then following down the coast with a maximum depth of canal of 6 feet, as that line seems to be planned, until you reach water that will go out to Key West," and that is germane to this bill and appears in it under the heading, "Intra-Coastal Waterways." That is not all. That is called sometimes an "extra coastal waterway." Then, we get in the bill a so-called "inland waterway" to be surveyed from the Mississippi River through Louisiana and Texas to Bayou Teche and on through Louisiana and Texas to Point Isabel, and thence to the Rio Grande. This is practically to parallel the Gulf of Mexico. That is to be surveyed, as the bill provides, and there are still others of like character.

There is another through or across Florida over to New Orleans and Pensacola Bay along the Gulf of Mexico from St. Georges Sound, Florida, to the Mississippi River, at New Orleans. Another for a "continuous inland waterway across the State of Florida," and still others paralleling sea or ocean navigation. They are along the coast, waterways in each case, with a channel depth of 12 feet. They are deep waterways—ship canals. This whole land, Mr. Speaker, has been alive with interest in inland deep waterways and it has been resounding in oratory in the last year, especially on the importance of deep interior waterways, and this bill contains no provision for even the survey of one such as I have described paralleling salt water somewhere over which navigation is now ample.

What I want, and what the great deep waterway congresses and associations have been demanding, is water transportation through the interior of this country, where the surplus agricultural and manufactured products are produced.

The canal I propose to have built is to connect the waters of the Great Lakes and the Ohio River, and thus link the interior water transportation of the Lakes and the Gulf of Mexico, and this at comparatively small cost.

I have recently—February 2—discussed here at some length the importance, practicability, and necessity for a ship canal over the Miami and Erie Canal from Lake Erie to the Ohio River—Toledo to Cincinnati.

I believe the gentleman [Mr. BURTON of Ohio] in charge of this bill was cheered when he delivered his speech before the great Waterways Congress here, and then he comes in here and

opposes all the plans of that congress, and the plans of associations organized for a like purpose. Some men say we want a waterways commission. For what purpose? Of making suggestions at the end of two or three years? What suggestions? That water may be used for navigation? Why, we supposed we knew that when we were younger than some of us are. Make suggestions? Why? These suggestions came from the Father of his Country long ago, more than one hundred years ago, and Jefferson followed him with the suggestion for the very ship canal that I wanted to test the judgment of the House with reference to its being built. The great governor of New York, De Witt Clinton, paid a visit to Ohio about eighty-five years ago to make an investigation when he was one of the commission that was building the Erie Canal in New York. And he made a report on it, and others, great engineers, have made reports recommending the improvement I advocate. We have had plenty of surveys. We do not want suggestions, especially from a congressional committee proposed to be created by section 7 of this bill.

What we want is plans and specifications if we find these waterways are practicable. We do not want mere surveys. We want inland water transportation; and I have simply asked that this House should be allowed to consider whether or not it would be practicable to connect the waters of the Great Lakes from Lake Erie to the Ohio River by a canal with a depth of water greater than the Welland Canal—14 feet—that now carries ocean vessels to and from the Lakes.

Some man put the question and said: "What do you mean? Do you want only 15 feet of water? Why, a vessel that draws 18 feet will not go through it." I thought that question was a foolish one at first; but I found that they did go through just such canals, and they rushed them right through by the use of lighters, as is daily now done by the Welland and other such canals.

Mr. BOOHER. I would like to ask the gentleman a question, if he will yield.

Mr. KEIFER. Yes.

Mr. BOOHER. If this bill is passed as it now stands, would not the constitutional prohibition deny to any Member of this House the right to take an office such as provided in this bill which is created during his term?

Mr. KEIFER. That ought to; but I suppose it will not. [Great laughter.]

The bill, section 7, I see, expressly makes Members of this Sixtieth Congress eligible for appointment on the commission.

What I mean to say, Mr. Speaker, is that a vessel goes through one of these canals like that about to be constructed across the State of New York, with 12 feet of water, but they have lighters for the purpose and take off a part of the freight when necessary. Part of the cargo is taken off the ship and put upon the lighters, which are then towed by the ship through the canal, and then reloaded on the ship when it can sail off to the lake or to the ocean. It has been done frequently, and that has been the plan for effectively using the majority of the ship canals in this country and in Europe for more than half a century.

But I have said enough to emphasize my opposition to passing a bill of this kind that provides for surveys alone that are to cost much over \$9,000,000. Many of them were surveyed long before my colleague from Ohio was born and long before even I was born myself, and yet we are to have surveys of them over and over again, and a commission of Congressmen to make suggestions to us as to our duty. Otter Creek is to be re-surveyed, I see by the bill. I think it is about the fourteenth time in the history of the country it has been surveyed; but the Miami and Erie Canal is not worthy of it, the gentleman thinks. I ask the question, Is not the improvement of the Miami and Erie Canal of the character of the proposed ship canal—proposed by the bill to have surveyed—to parallel the ocean or the Gulf? If this House could vote upon a proposition as to whether we were to tie together for navigable purposes the waters of the Great Lakes and the Ohio River and the Mississippi and the Gulf, I am certain they would vote to do it if it should be found upon survey to be practicable.

Now, I have said enough and done enough simply to emphasize my opposition to the methods adopted to prevent the possibility of getting a vote at this session of Congress upon a proposition so important, so worthy, and so easy to be tested as to its practicability. The proposition was to expend \$25,000 to make a survey with plans and specifications. The proposition is to spend but a small sum, \$25,000, for this purpose. This is a small sum proposed to be expended for a congressional commission. A bill was introduced a few days since for the purpose of having a waterway commission. It was to expend in the coming three years about \$500,000, which would be sufficient

to survey twenty such propositions as I favor; and then we would know exactly whether they were each practicable. The bill we are now considering may not require that much to be spent. I look upon a waterway commission as a polite way of saying we will have a junket over the country and no deep waterways. I believe this bill allows them to extend the junket to Europe; and then, in the meantime, needed improvements in the United States that should go on must stand still. [Applause.]

Mr. BURTON of Ohio. Mr. Speaker, I have sometimes listened to arguments and attacks even to which I did not think it was necessary to make reply. I have never known so notable an instance in which it was unnecessary to make reply as in the case of my colleague, notwithstanding his magnificent earnestness. [Great laughter.] I ask for a vote.

The question was taken on the motion of Mr. BURTON of Ohio; and on a division (demanded by Mr. KEIFER) there were—ayes 216, noes 17.

Accordingly, two-thirds having voted in the affirmative, the amendments were agreed to, and the bill as amended was passed.

#### SUNDRY CIVIL APPROPRIATION BILL.

Mr. TAWNEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the sundry civil appropriation bill (H. R. 28245), and, pending that motion, I ask unanimous consent that all general debate on the bill be closed in ten minutes, five minutes to be controlled by the gentleman from New York [Mr. FITZGERALD] and five minutes by myself.

Mr. SULZER. Mr. Speaker, I hope there will be some time allowed for general debate on this bill.

Mr. GAINES of Tennessee. How many million dollars does the bill propose to appropriate?

Mr. SULZER. There are several gentlemen over here who desire time. We should have at least one hour on a side.

Mr. TAWNEY. I want to say that the time of the session is becoming short. There will be ample opportunity for the consideration and discussion of the various provisions as they are reached in the reading of the bill. This has been the practice for many years in the consideration of the sundry civil bill at the short sessions of Congress. The bill is a large one. General debate that does not pertain to the provisions of the bill will be of no benefit whatever so far as giving the House information is concerned. For that reason I trust that we may close general debate with a short statement, on each side, respecting the general provisions of the bill.

Mr. GAINES of Tennessee. I should like to ask the gentleman how many million dollars this bill proposes to appropriate?

Mr. TAWNEY. A little over \$137,000,000.

Mr. GAINES of Tennessee. How many different subjects are treated by the bill?

Mr. TAWNEY. It is impossible for me to answer. I do not know.

Mr. GAINES of Tennessee. It is impossible for me to give unanimous consent, then, to close debate in ten minutes.

Mr. TAWNEY. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the sundry civil bill.

The motion was agreed to.

Accordingly, the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 28245) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1910, and for other purposes, with Mr. WATSON in the chair.

The Clerk read the title of the bill.

Mr. TAWNEY. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TAWNEY. Mr. Chairman, the sundry civil appropriation bill as reported to the House by the Committee on Appropriations carries, in round numbers, \$137,000,000.

This sum is made up by a great variety of items and appropriations. There are, however, three principal appropriations recommended in the bill that equal more than one-half of the total amount that the bill carries. The sum of \$23,000,000 is recommended for continuing the work of constructing the Panama Canal. Nineteen million dollars, in round numbers, is appropriated for carrying on river and harbor work now under contract and previously authorized by law. There is also the sum of \$18,000,000 recommended by this bill for the purpose of carrying on the work of constructing public buildings authorized and now under contract, or authorized and which will be under contract during the next fiscal year.



These three items in the aggregate amount to a little over \$72,000,000 of the \$137,000,000 which the bill carries. The remaining amount is made up of various appropriations of different sizes, which it is not necessary at this time to state in detail.

Every paragraph in the bill carrying an appropriation will be read, and I propose, Mr. Chairman, in the consideration of the bill under the five-minute rule, as has been the custom in the past, to allow most liberal time for consideration of each specific item; and I therefore prefer not to make any further general statement regarding the bill.

Every Member in this House knows that the appropriations carried in the sundry civil bill are expended in every congressional district in the United States and in all our island possessions. It would therefore require a great deal more time than is ordinarily allowed for general debate on appropriation bills to cover the entire bill at this time in a general statement.

I desire also to make this important statement, that the amount carried in the bill is almost \$27,000,000 less than the amount estimated for sundry civil expenditures.

I will yield to the gentleman from New York ten minutes.

Mr. FITZGERALD. I would like, Mr. Chairman, to be recognized in my own right. I suggest that the gentleman from Minnesota let me be recognized in my own right. It will not affect what the gentleman wants to accomplish. I have had but one request for time on this side. One gentleman desires an hour on Monday. He is unable to proceed to-day. No one else has made any request for time in general debate. In what I shall say I can complete my remarks in five or ten minutes.

It would be very desirable if the gentleman from Minnesota would either arrange that an hour could be had on Monday, or give assurance that when he brings in the general deficiency bill the gentleman from Illinois [Mr. RAINEY] will be assured of one hour's time in general debate.

Mr. TAWNEY. Mr. Chairman, I will say that it will be impossible to give positive assurance as to how much time will be devoted to general debate on the general deficiency bill. The bill has not been prepared yet, although the subcommittee expects to get to work on it to-morrow, and have it completed in season to follow the sundry civil, if possible. There are a great many conference reports that will have to be considered during the two remaining days of the session. There has but one appropriation bill passed both Houses, and become a law, and that is the urgent deficiency bill. Therefore, all of the regular twelve appropriation bills must either pass one House or the other, and be agreed to in conference, and the conference reports be agreed to. It will therefore be manifest to every Member of the House, that I can not at this time give assurance for time.

If there is an opportunity for general debate on the general deficiency bill, I shall have no objection to granting one hour's time on each side. I have had no request for general debate on this side on this bill. In view of the importance of the bill, the great variety of subjects that it covers, and the aggregate amount of appropriations, I insist on getting it to the other side of the legislative department of the Government as soon as possible, that they may consider it there. I hope we can get along without any general debate. I can only make the statement to the gentleman from New York that if there is opportunity for general debate on the general deficiency bill, I shall have no objection to allowing an hour on each side. I speak of the vast amount of business that the House has to consider and pass upon before the close of the session, which may possibly cut off any opportunity for general debate hereafter.

Mr. FITZGERALD. Of course the condition is somewhat different now than it would be at a session of Congress similar to this. We will convene again on the 15th of March, and there is no pressing necessity to hurry the disposition of the appropriation bills in order to have them passed before the 4th of March. It would be much better to take ample time to consider them thoroughly and properly, even if it necessitates the use of some of the time that will surely hang on our hands during the next session. The position that the gentleman from Illinois [Mr. RAINEY] is in is so peculiar that I had hoped that the suggestion that he use time would come from that side of the House instead of him asking for time. He made a speech here, which I do not characterize in any way; but a number of gentlemen on that side of the House have since felt called upon to speak as the result of the speech of the gentleman from Illinois. They have all asked, or insisted, or demanded, that he make another speech. I am simply asking now that an arrangement be made that will give him an opportunity to make the speech that has been insisted upon by the Members on that side of the House. Whatever the little inconvenience to which it might put the House, I am sure that that side of the House will do everything possible to permit him to do that which they have been insisting that he should do.

Mr. TAWNEY. Mr. Chairman, I will say to the gentleman from New York [Mr. FITZGERALD] that his intimation that there will be plenty of time for the consideration of appropriation bills in the extra session of Congress to be called, applies with greater force to the time that will be available to the gentleman from Illinois [Mr. RAINEY] in which to make his speech, rather than to have us delay public business now for that purpose.

Mr. FITZGERALD. Mr. Chairman, I think not, for this reason: Some one has intimated to me that some things stated by the gentleman referred in some way to the present Executive. I wish to say that so far as I am concerned any criticism of the present Executive which I have to make I desire to make before he leaves office, and everybody on this side of the House has the same desire, whatever may be the disposition on that side of the House. For that reason I hope that if the gentleman from Illinois [Mr. RAINEY] has anything to say that may be considered or construed as a criticism of the present occupant of the White House, in justice to all parties, he be given the opportunity before the expiration of this session of Congress. Perhaps the gentleman will agree to permit the gentleman from Illinois to occupy an hour on Monday.

Mr. TAWNEY. I will say to the gentleman from New York that my understanding is that the gentleman from Illinois has already occupied between two and three hours on the same subject on which he again desires to address the House.

Mr. FITZGERALD. I so understand; but it is a subject that is almost inexhaustible, and he could well occupy much more time on the same subject with benefit to the country.

Mr. TAWNEY. Mr. Chairman, I move that the committee do now rise.

Mr. FITZGERALD. Oh, I hope the gentleman will not do that. I want to say a few words on the bill.

Mr. TAWNEY. I understood the gentleman to say that he did not desire to say anything on the bill at this time.

Mr. FITZGERALD. I said "a few words."

Mr. TAWNEY. I yield five minutes to the gentleman from New York.

Mr. FITZGERALD. Mr. Chairman, it is impossible in any reasonable time to make any review of the provisions of this bill. They cover every department of the Government and every conceivable subject for which money is appropriated for the Government. There are many items in the bill which will properly be discussed and debated in the House and some of them which will justify criticisms of the methods of the present administration. In my judgment it will be more conducive to the proper disposition of these subjects to reserve what may be said until the various items are reached. Some of these items will not be agreed to, in my judgment, with the consent of the great majority of this side of the House. I simply wish this side of the House to know that there are many matters in the bill impossible to discuss now in the few moments given by the gentleman from Minnesota, although I should be pleased to do so could I have the time. I, however, hope to give to the committee, and particularly to the Members on this side of the House, such information as will enable them to vote intelligently on the various items as they are reached in the consideration of the bill.

If the gentleman from Minnesota will not permit any further time of course we are powerless, but I do hope that after further reflection he will consent to permit this discussion, which his own side has been so insistent should be continued, to be completed as early as possible, by allowing it to proceed on Monday.

Mr. TAWNEY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. WATSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the sundry civil appropriation bill and had come to no resolution thereon.

Mr. TAWNEY. Mr. Speaker, in view of the appeal of the gentleman from New York [Mr. FITZGERALD] I ask unanimous consent that general debate on the sundry civil bill be closed in two hours, one hour to be under the control of the gentleman from New York and one hour under the control of myself.

The SPEAKER. Is there objection?

There was no objection.

#### CIVIL GOVERNMENT, PHILIPPINE ISLANDS.

Mr. COOPER of Wisconsin. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

*Resolved by the House of Representatives (the Senate concurring), That the Speaker of the House of Representatives and the President of the Senate be, and hereby are, authorized to cancel their signatures to the enrolled bill H. R. 25155, "An act to amend an act approved July*

1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and that the said bill be reenrolled with the insertion of the words "third paragraph of the" after the words "That the," in the first line after the enacting words of said bill.

The SPEAKER. Is there objection?

Mr. GARRETT. Mr. Speaker, reserving the right to object, I would like to know what this does.

Mr. COOPER of Wisconsin. There was a mistake made in this bill. Section 7 of the organic act of July 1, 1902, contained four or five paragraphs. This bill was intended to amend only paragraph 3 of that section, but the words "third paragraph of the" were omitted, and therefore, if the bill were enacted in that form, it would in effect repeal all of that section except paragraph 3. It was a mistake, that is all, and this resolution carries out what was intended by the original bill when it was passed.

Mr. GARRETT. This resolution simply causes the act to be enrolled as it passed?

Mr. COOPER of Wisconsin. It causes it to be reenrolled so that it will amend paragraph 3, and thus carry out the intent of the bill.

Mr. GARRETT. Was that a mistake made in the enrolling room or a mistake made in the bill as it passed?

Mr. COOPER of Wisconsin. It was a mistake in the bill as it passed.

Mr. GARRETT. And not in the enrolling room.

Mr. COOPER of Wisconsin. And not in the enrolling room. This is a concurrent resolution and was drawn after consultation with the Speaker's clerk, Mr. Hinds; in fact he drew the resolution.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

So the resolution was agreed to.

#### ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolutions of the following titles, when the Speaker signed the same:

H. R. 16269. An act authorizing the extension of Ninth street NW.;

H. R. 17303. An act authorizing the extension of Girard street NW. from its western terminus to Fifteenth street NW.;

H. R. 27425. An act to provide for the parole of juvenile offenders committed to the National Training School for Boys, Washington, D. C., and for other purposes;

H. R. 12678. An act for the widening of Twentieth street NW., District of Columbia;

H. R. 16747. An act to amend an act approved March 2, 1907, entitled "An act for the opening of Mills avenue NE. from Rhode Island avenue to Twenty-fourth street;"

H. R. 19762. An act to reimburse the postmaster at Sandborn, Ind.;

H. R. 23699. An act to grant to John T. Rivett privilege to make commutation of his homestead entry;

H. R. 25149. An act to authorize certain changes in the permanent system of highways, District of Columbia;

H. R. 26472. An act to provide for the extension of Rittenhouse street, in the District of Columbia, and for other purposes;

H. R. 24152. An act for the widening and extension of Massachusetts avenue SE., from its present terminus near Fortieth street SE., to Bowen road;

H. R. 17171. An act for the relief of Benjamin F. Curry;

H. R. 23864. An act authorizing the widening and extension of Minnesota avenue SE. from its present terminus near Pennsylvania avenue SE. to the Sheriff road;

H. R. 21019. An act to reimburse Agnes M. Harrison, postmaster at Wheeler, Miss., for loss of money-order remittance;

H. R. 4307. An act for the relief of E. J. Reed;

H. R. 3844. An act for the relief of E. L. Simpson;

H. R. 24833. An act to declare and enforce the forfeiture provided by section 4 of the act of Congress approved March 3, 1875, entitled "An act granting to railroads the right of way through the public lands of the United States;"

H. R. 26466. An act to amend an act authorizing the construction of a bridge across the Mississippi River at Burlington, Iowa;

H. R. 18600. An act for the relief of John M. Hill;

H. R. 23767. An act to incorporate the Imperial Palace Dramatic Order Knights of Khorassan;

H. R. 17276. An act for the relief of S. R. Hurley;

H. R. 17960. An act for the relief of Marcellus Butler;

H. R. 2635. An act for the relief of Herman Lehmann;

H. R. 22340. An act relating to injured employees on the Isthmian Canal;

H. R. 26482. An act to authorize the construction of two bridges across Rock River, State of Illinois;

H. R. 3760. An act for the relief of the creditors of the Deposit Savings Association, of Mobile, Ala.;

H. R. 26829. An act to amend an act entitled "An act to authorize the Fayette Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of Brownsville, Fayette County, to a point in the borough of West Brownsville, Washington County," approved April 23, 1906;

H. R. 27864. An act granting a right of way over a strip of land along the eastern boundary of the Fort McPherson Military Reservation to the commissioners of Fulton County, Ga., for road purposes;

H. R. 25155. An act to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes;"

H. R. 15442. An act to amend an act entitled "An act to establish a court of private land claims and to provide for the settlement of private land claims in certain States and Territories," approved March 3, 1891, and the acts amendatory thereto, approved February 21, 1893, and June 27, 1898;

H. R. 13777. An act for the relief of the estate of Samuel Beatty, deceased;

H. R. 27894. An act amending "An act to amend an act entitled 'An act to regulate commerce,' approved February 4, 1887, and all acts amendatory thereof, and to enlarge the powers of the Interstate Commerce Commission," approved June 29, 1906;

H. R. 25139. An act to amend an act entitled "An act to ratify, approve, and confirm an act duly enacted by the legislature of the Territory of Hawaii to authorize and provide for the construction, maintenance, and operation of a telephone system on the island of Oahu, Territory of Hawaii," approved June 20, 1906;

H. R. 26516. An act authorizing Daniel W. Abbott to make homestead entry;

H. R. 26734. An act to permit change of entry in case of mistake of the description of tracts intended to be entered;

H. R. 13712. An act for the relief of the legal representatives of Sarah J. Montgomery, deceased;

H. R. 19606. An act to provide for the granting and patenting to the State of Colorado desert lands within the former Ute Indian Reservation in said State;

H. R. 7029. An act for the relief of C. L. Huey;

H. R. 26838. An act to authorize Behn Brothers, of San Juan, P. R., to construct a bridge across a portion of the Condado Bay, at the eastern extremity of San Juan Island, Porto Rico;

H. R. 21167. An act to reimburse J. N. Newkirk, postmaster of San Diego, Cal., for moneys lost by burglary;

H. R. 25396. An act for relief of applicants for mineral surveys;

H. R. 24140. An act extending the provisions of the act of June 10, 1880, concerning transportation of dutiable merchandise without appraisement;

H. R. 24373. An act to reimburse Royal L. Sweany, late deputy collector of internal revenue at Tacoma, Wash.;

H. J. Res. 219. To accept the gift of Constitution Island, in the Hudson River, New York; and

H. J. Res. 241. Joint resolution to authorize the Secretary of War to furnish one condemned bronze cannon and cannon balls to the city of Robinson, Ill.

#### SENATE BILLS AND RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 9348. An act to reimburse Frank Wyman, postmaster at St. Louis, Mo., for embezzlement of money-order funds by clerk at said post-office—to the Committee on Claims.

S. 9402. An act for the relief of John H. Layne—to the Committee on Military Affairs.

S. 8654. An act for the relief of certain occupants of unsurveyed public lands in Craighead County, Ark.—to the Committee on the Public Lands.

S. 8424. An act for the relief of the owners of lighter No. 128—to the Committee on Claims.

S. 5092. An act to remove the charge of desertion against the military record of James A. Windsor—to the Committee on Military Affairs.



S. R. 138. Joint resolution to provide for the printing of 25,000 copies of a portion of the report of the National Conservation Commission—to the Committee on Printing.

Senate concurrent resolution 101.

*Resolved by the Senate (the House of Representatives concurring).* That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of that part of the Arkansas River between Little Rock and Dardanelle with a view to ascertaining if said part of said river is susceptible of being made available for purposes of navigation during the entire year; and if found capable of being made so available, then to report an estimate of the cost of improving such part of said river by the construction of locks and dams, or otherwise, as well as to report an estimate of the probable tonnage that will seek transportation thereon in the event the same were so improved—

to the Committee on Rivers and Harbors.

#### ADJOURNMENT.

Mr. TAWNEY. Mr. Speaker, I move that the House do now take a recess until five minutes to 12 to-morrow, or 11.55.

Mr. FITZGERALD. Mr. Speaker, is not to-morrow set aside for eulogies?

Mr. TAWNEY. Yes.

The SPEAKER. It is a legislative day and we could recess until to-morrow.

Mr. FITZGERALD. But if we recess the legislative day of to-morrow will not be Sunday.

The SPEAKER. We can make Sunday a legislative day, as the House has already done by unanimous consent, and we can recess until 11.55.

Mr. CLARK of Missouri. Mr. Speaker, I would like to make a parliamentary inquiry. If we take this recess, to what hour would it be?

The SPEAKER. To 11.55.

Mr. CLARK of Missouri. I thought it was 2 o'clock when we were to have these eulogies.

Mr. MANN. One order is set for 2 o'clock and one order for 12 o'clock.

Mr. CLARK of Missouri. The question I want to ask is this: When we meet tomorrow morning, without any limitation being put on the House, can not it enter into any kind of legislation that it wants to?

Mr. KEIFER. They do not do that.

Mr. CLARK of Missouri. How do you know?

The SPEAKER. The Chair will read the order:

On motion of Mr. CLAYTON, by unanimous consent, ordered that there be a session of the House at 12 m. Sunday, February 21, for the delivery of eulogies on the life, character, and public services of the late Mr. WILEY.

Mr. SHERLEY. Mr. Speaker, a parliamentary inquiry. Unless the House adjourn before 12 o'clock to-morrow, could that be done under that order?

The SPEAKER. How is that?

Mr. SHERLEY. Unless to-morrow the House adjourn at the expiration of this recess that is now suggested by the gentleman from Minnesota, could the House operate under the order read by the Chair?

The SPEAKER. It could meet under a recess clearly—

Mr. SHERLEY. Could it? We will not be meeting on Sunday; we will be meeting on the legislative day of last Monday.

Mr. TAWNEY. Mr. Speaker, pending the motion I will ask unanimous consent that nothing be considered to-morrow except eulogies and a motion to take a recess until the following day.

Mr. KIMBALL. Mr. Speaker, I shall have to object.

Mr. TAWNEY. Then, Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. Pending that motion the Chair will designate Representative SMITH of Iowa to act as Speaker pro tempore to-morrow.

The motion to adjourn was agreed to; and accordingly (at 5 o'clock and 58 minutes p. m.) the House adjourned.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for satisfaction of judgment in the case of Jordan against The United States (H. Doc. No. 1468)—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the president of the Board of Commissioners of the District of Columbia submitting an estimate of appropriation for deficiencies (H. Doc. No. 1469)—to the Committee on Appropriations and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting estimates of appropriations needed to satisfy the requirements of certain private acts (H. Doc. No. 1470)—to the Committee on Appropriations and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SMITH of Michigan, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 26825) to extend a street from Nineteenth street NW., near U street, westward to Columbia road, reported the same with amendments, accompanied by a report (No. 2211), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CAMPBELL, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 27369) to amend an act approved August 15, 1894, an agreement with the Alsea and other Indians on the Siletz Indian Reservation in Oregon, reported the same with amendments, accompanied by a report (No. 2213), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SIMS, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 28103) to amend an act entitled "An act for the widening of Benning road, and for other purposes," approved May 16, 1908, reported the same without amendment, accompanied by a report (No. 2214), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MCCALL, from the Committee on the Library, to which was referred the joint resolution of the House (H. J. Res. 260) to rearrange and reconstruct the Hall of the House of Representatives, and for other purposes, reported the same without amendment, accompanied by a report (No. 2215), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of California, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 28190) to provide for the sale of isolated tracts of public land in Imperial County, Cal., reported the same without amendment, accompanied by a report (No. 2218), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Michigan, from the Committee on the District of Columbia, to which was referred the resolution of the House (H. Res. 445) requesting certain information from the Commissioners of the District of Columbia relative to the police department, reported the same without amendment, accompanied by a report (No. 2210), which said resolution and report were referred to the House Calendar.

Mr. CAPRON, from the Committee on Foreign Affairs, to which was referred the joint resolution of the House (H. J. Res. 235) concerning and relating to the treaty between the United States and Russia, reported the same with amendment, accompanied by a report (No. 2212), which said joint resolution and report were referred to the House Calendar.

Mr. McGUIRE, from the Committee on Indian Affairs, to which was referred the bill of the Senate (S. 8554) authorizing the Secretary of the Interior to sell part or all of the surplus lands of members of the Kaw or Kansas and Osage tribes of Indians in Oklahoma, and for other purposes, reported the same without amendment, accompanied by a report (No. 2216), which said bill and report were referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SMITH of Michigan, from the Committee on the District of Columbia, to which was referred the bill of the Senate (S. 6852) for the relief of Walter F. Rogers, executor of the estate of Sarah Edwards, late owner of lot No. 116, square No. 628, Washington, D. C., with regard to assessment and payment of damages on account of changes of grade due to construction of the Union Station, District of Columbia, reported the same without amendment, accompanied by a report (No. 2207), which said bill and report were referred to the Private Calendar.

Mr. FRENCH, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 8822) providing for the relinquishment by the United States of certain lands to the county of Kootenai, in the State of Idaho, reported the same without amendment, accompanied by a report (No. 2208), which said bill and report were referred to the Private Calendar.

Mr. SMITH of Arizona, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 27889) granting certain land to the town of Yuma, in the Ter-

ritory of Arizona, reported the same without amendment, accompanied by a report (No. 2209), which said bill and report were referred to the Private Calendar.

Mr. ROBINSON, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 8555) to relinquish the interest of the United States in and to certain land in Dade County, Fla., to John M. Bryan, jr., reported the same without amendment, accompanied by a report (No. 2217), which said bill and report were referred to the Private Calendar.

Mr. HACKNEY, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 28226) to authorize the cancellation of trust patents in certain cases, reported the same without amendment, accompanied by a report (No. 2219), which said bill and report were referred to the Private Calendar.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 25300) for the relief of Theodore Bruener—Committee on the Public Lands discharged, and referred to the Committee on Claims.

A bill (H. R. 8694) granting a pension to Gustave Kipper—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HINSHAW (by request): A bill (H. R. 28261) regulating the payment of commutation money to soldiers—to the Committee on Military Affairs.

By Mr. CLAYTON: A bill (H. R. 28262) extending the provisions of the act approved March 10, 1908, entitled "An act granting to A. J. Smith and his associates, their successors and assigns, authority to construct, maintain, and operate a dam across the Choctawhatchee River about one-eighth of a mile below or west of the bridge across said river on the road known as the Newton and Ozark public road, in Dale County, in the State of Alabama, in accordance with the provisions of the act entitled 'An act to regulate the construction of dams across navigable waters,' approved June 21, 1906.

By Mr. HOWELL of Utah: Memorial of the legislature of Utah, asking an appropriation of 3,000,000 acres of arid lands, etc.—to the Committee on the Public Lands.

By Mr. CANNON: Memorial of the legislature of Wisconsin, protesting against legislation to abolish the pension agencies—to the Committee on Appropriations.

Also, memorial of the legislature of Arizona, praying for an investigation of a certain contract between the Government and the Pacific Gas and Electric Company, of Phoenix, Ariz.—to the Committee on the Territories.

Also, memorial of the legislature of Arizona, praying for an appropriation to liquidate and pay for certain bonds of Pima County, Ariz.—to the Committee on the Territories.

Also, memorial of the legislature of Arizona, praying for an appropriation for the restoration of the San Xavier Mission building, in Pima County, Ariz.—to the Committee on the Territories.

Also, memorial of the legislature of Idaho, praying for legislation for the relief of certain settlers on the Minidoka tract, in Idaho—to the Committee on Irrigation of Arid Lands.

By Mr. MARTIN: Memorial of the legislature of South Dakota, requesting Congress to call a convention for the purpose of amending the Constitution of the United States in relation to polygamy, etc.—to the Committee on the Judiciary.

Also, memorial of the legislature of South Dakota, requesting Congress to make Fort Meade, S. Dak., a brigade post, etc.—to the Committee on Military Affairs.

By Mr. MONDELL: Memorial of the legislature of Wyoming, urging Congress to pass a law creating a roll to be known as "the civil war officers' annuity honor roll"—to the Committee on Military Affairs.

Also, memorial of the legislature of Wyoming, relating to the land laws of the United States—to the Committee on the Public Lands.

Also, memorial of the legislature of Wyoming, requesting Congress to grant to the State of Wyoming certain lands for the winter refuge of game—to the Committee on the Public Lands.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. CAMPBELL: A bill (H. R. 28263) granting a pension to Iva Sexton—to the Committee on Pensions.

By Mr. COLE: A bill (H. R. 28264) granting an increase of pension to John C. F. Martin—to the Committee on Pensions.

By Mr. DAVENPORT: A bill (H. R. 28265) granting a pension to Thomas B. Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 28266) granting a pension to John Steely—to the Committee on Invalid Pensions.

By Mr. GARRETT: A bill (H. R. 28267) granting a pension to Leudora Getchell—to the Committee on Invalid Pensions.

By Mr. GILESPIE: A bill (H. R. 28268) to remove the charge of desertion from the military record of George M. Thomas—to the Committee on Military Affairs.

By Mr. GOULDEN: A bill (H. R. 28269) for the relief of Elizabeth Reilly—to the Committee on Claims.

Also, a bill (H. R. 28270) for the relief of Theodore Schroeter—to the Committee on Appropriations.

By Mr. HAWLEY: A bill (H. R. 28271) granting an increase of pension to Joseph Gaunau—to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 28272) for the relief of William H. Nolcini—to the Committee on War Claims.

Also, a bill (H. R. 28273) for the relief of Joseph E. Lindsey, surviving partner of John Lindsey & Son—to the Committee on War Claims.

Also, a bill (H. R. 28274) to correct the military record of W. J. May—to the Committee on Military Affairs.

By Mr. MORSE: A bill (H. R. 28275) for the relief of Huldah Powell, widow of S. Benton Powell, deceased—to the Committee on War Claims.

By Mr. PEARRE: A bill (H. R. 28276) for the relief of George M. Smith, of New Market, Md.—to the Committee on War Claims.

By Mr. SIMS: A bill (H. R. 28277) granting an honorable discharge to Green B. Gibson—to the Committee on Military Affairs.

By Mr. SPIGHT: A bill (H. R. 28278) for the relief of heirs or estate of Lemuel I. Capell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 28279) for the relief of the heirs or estate of Joel L. Ingram, deceased—to the Committee on War Claims.

By Mr. STAFFORD: A bill (H. R. 28280) granting an increase of pension to Friedrich Backhaus—to the Committee on Invalid Pensions.

By Mr. SWASEY: A bill (H. R. 28281) granting an increase of pension to Edward K. Chapman—to the Committee on Invalid Pensions.

By Mr. TOU VELLE: A bill (H. R. 28282) granting an increase of pension to Joseph A. Bunch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 28283) granting an increase of pension to Richard M. Ward—to the Committee on Invalid Pensions.

By Mr. WEBB: A bill (H. R. 28284) granting an increase of pension to William B. Banks—to the Committee on Pensions.

By Mr. SULZER: Resolution (H. Res. 578) to pay to Edward J. Cantwell, administrator, a certain sum of money—to the Committee on Accounts.

By Mr. CAPRON: Resolution (H. Res. 579) to pay Michael A. Rattigan a certain sum of money—to the Committee on Accounts.

By Mr. BROWNLOW: Resolution (H. Res. 580) providing for the printing of first and second inaugural addresses of the late President Abraham Lincoln, etc.—to the Committee on Printing.

By Mr. FOSTER of Vermont: Resolution (H. Res. 581) relating to the pay of clerks to certain committees—to the Committee on Accounts.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorials of the Merchants' Review Company, of Chicago, Ill.; Charles Meyer and 7 others, of Gilman, Ill.; H. G. Moore & Co. and 4 other firms and individuals, of Ashkum, Ill.; C. J. Linden and 20 other firms and individuals, of Kankakee, Ill.; Jensen Madison and 6 others, of Clifton, Ill.; Edward Metzler and 5 others, of Mansfield, Ill.; George Warrick and 6 others, of Sheldon, Ill.; Warden & Hazard and 6 others, of Momence, Ill.; Patrick Murphy and 7 others, of Chebanse, Ill.; Riggs & McClane and 5 others, of Buckley, Ill.; Charles Classen and 6 others, of Danforth, Ill.; P. H. Orth and 14 others; and Edward S. Pendexter and 19 others, protesting



against the establishment of a parcels post and also in favor of a parcels post—to the Committee on the Post-Office and Post-Roads.

Also, memorials of William B. Plant and eight others, of Philadelphia; of the Southwestern Union Conference of the Seventh Day Adventists; of the Ohio Seventh Day Adventist Conference; and of the Lake Union Conference of the Seventh Day Adventists, protesting against the passage of the bill for the proper observance of Sunday in the District of Columbia—to the Committee on the District of Columbia.

Also, memorial of James A. Rundle and 13 others, of Sussex County, N. J., praying for the establishment of a national highways commission—to the Committee on Agriculture.

Also, memorial of Black Lick Grange, of Pennsylvania, praying for the establishment of parcels post and postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, memorial of the Otto Kuehne Preserving Company, of Topeka, Kans., praying for the reduction of the duty on sugar—to the Committee on Ways and Means.

Also, memorial of the legislative assembly of New Mexico, praying for an amendment to the irrigation law—to the Committee on Irrigation of Arid Lands.

Also, memorial of I. D. O'Donnell and 19 others and J. F. Seavy and 19 others, all citizens of the United States, praying for federal aid in road construction—to the Committee on Agriculture.

Also, memorial of S. J. H. Trine, of Union City, Ind., protesting against the extradition of 3 citizens of Mexico incarcerated in the Los Angeles jail—to the Committee on Foreign Affairs.

Also, memorial of the American Association for the Advancement of Science, praying for legislation to increase the scope and importance of the United States Bureau of Education—to the Committee on Education.

Also, memorial of the Williamsburg (Ohio) Council, Order United American Mechanics, and Bushnell Council, of the same order, of Springfield, Ohio, praying for an act to prohibit the immigration of Asiatics—to the Committee on Foreign Affairs.

Also, memorial of John M. Gudvangen and 3 others, of Cilmann, Minn., praying for the removal of the tax on stills—to the Committee on Ways and Means.

Also, memorial of the Standard Extract Company and other corporations, firms, and individuals of the United States, praying for the removal of the duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. BRADLEY: Petition of citizens of Middleton, N. Y., favoring passage of H. R. 24148, for creation of child-labor bureau—to the Committee on Expenditures in the Interior Department.

By Mr. BURGESS: Petition of citizens of Goliad County, Tex., against extradition of Magon, Villarreal, and Rivera—to the Committee on Foreign Affairs.

Also, petition of citizens of Bee County, Tex., against parcels-post and postal savings bank laws—to the Committee on the Post-Office and Post-Roads.

By Mr. BURLEIGH: Petition of Augusta (Me.) Lodge, No. 964, Benevolent and Protective Order of Elks, of Plainfield, N. J., for an American elk reservation in Wyoming (H. R. 21980)—to the Committee on the Public Lands.

By Mr. BURNETT: Paper to accompany bill for relief of Nancy L. Kirby (H. R. 15818)—to the Committee on Invalid Pensions.

By Mr. CLARK of Florida: Petition of the Board of Trade of Jacksonville, Fla., against removal of duty on lumber—to the Committee on Ways and Means.

Also, petition of the National Shoe Wholesale Association of the United States, for repeal of duty on hides—to the Committee on Ways and Means.

Also, petition of the C. B. Van Deman Company, candy manufacturers and wholesale grocers, of Jacksonville, Fla., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, petition of the Board of Trade of Jacksonville, Fla., for an increase in the salaries of the circuit and district court judges of the United States—to the Committee on the Judiciary.

Also, petition of the Jacksonville (Fla.) Board of Trade, favoring the Davis bill (H. R. 18204), to provide an appropriation for agricultural and industrial instruction in secondary schools, for normal instruction in agricultural and industrial subjects in normal schools, and for branch agricultural experiment stations, and regulating the expenditure thereof—to the Committee on Agriculture.

Also, petition of Gainesville (Fla.) Lodge, No. 990, Benevolent and Protective Order of Elks, for creation of American elk reservation in the State of Wyoming (H. R. 21980)—to the Committee on Agriculture.

By Mr. COOK of Pennsylvania: Petition of Chamber of Commerce of Pittsburgh, favoring appropriation of not less than

\$50,000,000 per annum for inland waterway improvement—to the Committee on Rivers and Harbors.

By Mr. COOK of Colorado: Petitions of E. W. Plympton and many others, of Salada; the Methodist Episcopal Church of Pueblo, 150 members voting; the Presbyterian Church of Pueblo, 539 members voting (no negative votes); Mrs. Myra B. King, of Pueblo, president of Central Woman's Christian Temperance Union; the First Baptist Church of Pueblo, 450 members voting; Ethelyn B. King, of Pueblo, president of Stevens Young Woman's Christian Temperance Union, 8 members voting; the Central Christian Church, of Pueblo, 450 members voting; and the Merritt Memorial Episcopal Church, of Denver, all in the State of Colorado, favoring the Littlefield-Bacon bill and other measures promotive of temperance—to the Committee on the Judiciary.

By Mr. DIXON: Petition of Sylvester Yunker and others, favoring parcels-post and postal savings bank legislation (S. 5122 and 6844)—to the Committee on the Post-Office and Post-Roads.

Also, petition of Grange Lodge, of Hartsville, Ind.; Eagle Spring Grange, No. 1510, of Jefferson County, Ind.; and Aurora (Ind.) Grange, favoring a national highways commission—to the Committee on Agriculture.

Also, petition of Edward Long and 15 other citizens of North Vernon, Ind., against S. 3940 (Johnston Sunday law)—to the Committee on the District of Columbia.

By Mr. ELLIS of Oregon: Petition of Edward Coles and 27 others, of Haines, Oreg., favoring removal of duty from jute grain bags and the burlap cloth from which bags are made—to the Committee on Ways and Means.

Also, petition of Fred Reid and 33 others, favoring a national highways commission—to the Committee on Agriculture.

By Mr. ESCH: Petition of the Trade League of Philadelphia, favoring such amendment of the interstate-commerce act as will protect interest of shippers from damage arising from misquotation of freight rates by carriers—to the Committee on Interstate and Foreign Commerce.

Also, petition of W. C. Maher and other citizens of Augusta, Wis., against removal of duty on farm products—to the Committee on Ways and Means.

Also, petition of Ida J. Taylor and other citizens of Sparta, Wis., favoring amendment to the Constitution enabling women to vote—to the Committee on the Judiciary.

By Mr. FOSTER of Vermont: Petition of A. T. Clark and other citizens of Vermont, favoring parcels-post and postal savings bank laws (S. 5122 and 6844)—to the Committee on the Post-Office and Post-Roads.

Also, petition of W. C. Mason and other citizens of Vermont, for a national highways commission and federal aid in construction of highways (H. R. 15837)—to the Committee on Agriculture.

By Mr. FRENCH: Petitions of G. W. Williams, for citizens of Midvale; G. H. Shearer, for citizens of Ontario; G. G. Haley, for citizens of Payette; Mary C. McDowell, for citizens of Star; and citizens of Indian Valley, all in the State of Idaho, to subject liquor shipped from one State to another to the law of the State into which it is shipped—to the Committee on the Judiciary.

By Mr. FULLER: Petition of the Newberry Library of Chicago, against increase of duty on books and other printed matter or to remove from the free list any class of books now included thereon—to the Committee on Ways and Means.

Also, petition of D. J. Stewart & Co., for reduction of duty on oilcloth and linoleum—to the Committee on Ways and Means.

By Mr. GARRETT: Paper to accompany bill for relief of Lindora Getchell—to the Committee on Invalid Pensions.

By Mr. GREENE: Petition of Samuel W. Case and others, against passage of Senate bill 3940—to the Committee on the District of Columbia.

By Mr. GRONNA: Petition of citizens of Gardar, N. Dak., against import duties on tea and coffee—to the Committee on Ways and Means.

By Mr. HAMILTON of Michigan: Petition of citizens of Allegan County, Mich., for regulation of interstate commerce in intoxicating liquors and opium—to the Committee on Interstate and Foreign Commerce.

By Mr. HARDWICK: Petition of the R. L. Hunter Dry Goods Company and others, of Augusta, Ga., against increase of duty on kid gloves—to the Committee on Ways and Means.

By Mr. HASKINS: Petition of S. A. Holden and 13 others, of South Windham, Vt., against Sunday-closing bill (S. 3940)—to the Committee on the District of Columbia.

By Mr. HAYES: Petition of the Abraham Lincoln Council, No. 2, Junior Order United American Mechanics, of San Francisco, Cal., favoring an effective Asiatic exclusion law against all Asiatics excepting merchants, students, and travelers—to the Committee on Foreign Affairs.

Also, petition of San Jose (Cal.) Lodge, No. 522, Benevolent and Protective Order of Elks, asking for the creation of a reserve in the State of Wyoming (H. R. 21980)—to the Committee on the Public Lands.

By Mr. HOWELL of Utah: Petition of Provo Lodge, No. 849, Benevolent and Protective Order of Elks, for creation of American elk reservation in the State of Wyoming (H. R. 21980)—to the Committee on the Public Lands.

By Mr. HUBBARD of West Virginia: Paper to accompany bill for relief of Daniel Main (H. R. 16027)—to the Committee on Military Affairs.

By Mr. KAHN: Petition of San Francisco Lodge, No. 38, Benevolent and Protective Order of Elks, favoring a reservation for the American elk and appropriation of \$30,000 therefor (H. R. 21980)—to the Committee on the Public Lands.

By Mr. KNOWLAND: Petition of the Chamber of Commerce of San Francisco, Cal., to provide for transportation in American vessels of material for use of Panama Canal—to the Committee on Interstate and Foreign Commerce.

By Mr. LINDBERGH: Petition of citizens of French Lake, Minn., against a duty on teas and coffees—to the Committee on Ways and Means.

By Mr. LOUDENSLAGER: Petition of residents of Mullica, Hill, N. J., for an amendment to the Constitution permitting women to vote—to the Committee on the Judiciary.

By Mr. LOWDEN: Petition of the National Business League of America, favoring the appointment of a tariff commission—to the Committee on Ways and Means.

Also, petition of industrial and commercial organizations, favoring S. 7804 and H. R. 22883, for a complete system of examinations in the consular service—to the Committee on Foreign Affairs.

By Mr. MCKINNEY: Papers in support of H. R. 23976—to the Committee on Rivers and Harbors.

By Mr. NYE: Petition of the Minneapolis Retail Grocers' Association, favoring passage of Senate bill 1570—to the Committee on the Judiciary.

By Mr. ROBINSON: Petition of J. W. Strenger and others and the Wisconsin and Arkansas Lumber Company, favoring retention of present duty on lumber—to the Committee on Ways and Means.

Also, paper to accompany bill for relief of W. C. Whitthorne—to the Committee on Pensions.

By Mr. RYAN: Petition of the Chamber of Commerce of Pittsburg, Pa., for an annual appropriation of \$50,000,000, at least, for internal improvement of waterways—to the Committee on Rivers and Harbors.

Also, petition of George J. Metzger and 38 other members of the Buffalo Chapter of the American Institute of Architects, favoring the Newlands bill (for Lincoln memorial)—to the Committee on the Library.

By Mr. SIMS: Paper to accompany bill for relief of heirs of Thomas Warfield—to the Committee on War Claims.

By Mr. SPIGHT: Paper to accompany bill for relief of estate of Joel L. Ingram—to the Committee on War Claims.

By Mr. STEPHENS of Texas: Petition of Wichita Falls (Tex.) Lodge, No. 1105, Benevolent and Protective Order of Elks, for an American elk reservation in Wyoming (H. R. 21980)—to the Committee on the Public Lands.

Also, petition of Denton (Tex.) Lodge, No. 807, Benevolent and Protective Order of Elks, favoring a reservation for the American elk and appropriation of \$30,000 therefor (H. R. 21980)—to the Committee on the Public Lands.

By Mr. SULZER: Petition of the Roessler & Hasslacher Chemical Company, favoring an appropriation of \$25,000 in the interest of the clay-testing department of the Geological Survey, under consideration in the pending sundry civil bill—to the Committee on Appropriations.

Also, petition of Albert E. Henschel, for appropriation to promote the commerce of the port and State of New York—to the Committee on Rivers and Harbors.

Also, petition of the Star Egg Carrier and Tray Manufacturing Company, favoring H. R. 21929—to the Committee on the Judiciary.

By Mr. SWASEY: Paper to accompany bill for relief of Edward D. Chapman—to the Committee on Invalid Pensions.

By Mr. TOU VELLE: Petition of Greenville (Ohio) Lodge of Elks, favoring a reserve for the American elk in Wyoming (H. R. 21980)—to the Committee on the Public Lands.

By Mr. WILEY: Petition of Troy (Ala.) Lodge, No. 929, Benevolent and Protective Order of Elks, favoring an American elk reservation (H. R. 21980)—to the Committee on the Public Lands.

Also, petition of W. C. Randolph and others, against any reduction of the duty on lumber—to the Committee on Ways and Means.

## HOUSE OF REPRESENTATIVES.

SUNDAY, February 21, 1909.

The House met at 12 o'clock m., and was called to order by Mr. SMITH of Iowa, as Speaker pro tempore.

The following prayer was offered by the Chaplain, Rev. Henry N. Couden, D. D.:

Almighty God, our Heavenly Father, in whom we live and move and have our being; we would pour out the oblations of our hearts in gratitude and praise to Thee, the dispenser of all good gifts, and hallow Thy name in a faithful and unselfish devotion to Thee and our fellow-men, and thus prove ourselves worthy of all the gifts Thou hast bestowed upon us. We thank Thee for that spirit down deep in the hearts of men which recognizes and appreciates the nobility of soul in their fellows, which displays itself in a faithful service to the public weal, for this special service to-day, sacred to the memory of men who have conspicuously served their country in the Congress of the United States, and passed on to their reward. Grant, oh most merciful Father, that their example may serve as beacon lights to guide us and those who shall come after us to high and noble living. Comfort the friends, colleagues, and families of the departed, and help them to look forward with bright anticipations to that larger life beyond the grave, where there shall be no more parting, and where God shall wipe all tears from all faces, and where peace and happiness shall reign forever. In Jesus Christ, our Lord. Amen.

The Journal of Monday, February 15, was read and approved.

## DEATH OF HON. DANIEL L. D. GRANGER.

Mr. CAPRON. Mr. Speaker, I desire to ask unanimous consent for the present consideration of the resolutions, which I send to the Clerk's desk, in regard to the death of my recent colleague, Hon. DANIEL L. D. GRANGER.

The resolutions were read, as follows:

## House resolution 582.

*Resolved*, That the business of the House be now suspended that opportunity may be given for tribute to the memory of the Hon. DANIEL L. D. GRANGER, late a Member of this House from the State of Rhode Island.

*Resolved*, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

*Resolved*, That the Clerk communicate these resolutions to the Senate.

*Resolved*, That the Clerk send a copy of these resolutions to the family of the deceased.

Mr. CAPRON. Mr. Speaker, upon the passage of the resolutions, in view of the fact that the present Congress is so near its close and Members can not have an opportunity for a special occasion, I will ask unanimous consent that Members desiring to do so may have leave to print remarks in the RECORD on the life, character, and public services of Mr. GRANGER during the remainder of the present session.

The SPEAKER pro tempore. The gentleman from Rhode Island asks unanimous consent that Members may have leave to print remarks with reference to the life, character, and public services of the late Mr. GRANGER during the remainder of the session. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the resolutions were unanimously agreed to.

## EULOGIES ON HON. ARIOSTO A. WILEY.

The SPEAKER pro tempore. This hour has been set apart for exercises in memory of the life, character, and public services of the Hon. ARIOSTO A. WILEY, and the Clerk will read the special order.

The Clerk read as follows:

*Ordered*, That there be a session of the House at 12 m. Sunday, February 21, for the delivery of eulogies on the life, character, and public services of the Hon. ARIOSTO A. WILEY, late a Member of this House from Alabama.

Mr. CLAYTON. Mr. Speaker, I move the adoption of the resolutions which I send to the Clerk's desk to be read.

The Clerk read as follows:

## House resolution 583.

*Resolved*, That the House has heard with profound sorrow of the death of Hon. ARIOSTO A. WILEY, late a Member of this House from the State of Alabama, which occurred at Hot Springs, Va., June 17, 1908.

*Resolved*, That the business of the House is now suspended that opportunity may be given to pay tribute to his memory.

*Resolved*, That as a particular mark of respect to the deceased, and in recognition of his distinguished public service, the House at the conclusion of the memorial exercises of the day shall stand adjourned.

*Resolved*, That the Clerk communicate these resolutions to the Senate.

*Resolved*, That the Clerk send a copy of these resolutions to the family of the deceased.

The question was taken, and the resolutions were unanimously agreed to.